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March 9, 2023
File No. 01.00171825.26

Evan Brassard
Town Administrator
Grafton Memorial Municipal Center
30 Providence Road
Grafton, Massachusetts 01519

Justin Wood, Chair
Planning Board
Grafton Memorial Municipal Center
30 Providence Road
Grafton, Massachusetts 01519

Karen G. Gwozdowski-Gauvin, Chair
Board of Health
Grafton Memorial Municipal Center
30 Providence Road
Grafton, Massachusetts 01519

Robert S. Berger
Building Department
Grafton Memorial Municipal Center
30 Providence Road
Grafton, Massachusetts 01519

Re: Public Notification of Activity and Use Limitation
Wyman Gordon Facility
244 Worcester Street
North Grafton, Massachusetts
MassDEP Release Tracking No. (RTN) 2-535

Ladies and Gentlemen:

On behalf of Wyman-Gordon Company, GZA GeoEnvironmental, Inc. is providing you a certified copy of the attached Notice of Activity and Use Limitation (AUL) for the above-referenced site. The certified copy is being provided in accordance with the Massachusetts Contingency Plan (310 CMR 40.1403(7)(a)). The Notice of AUL was filed with the Worcester County Registry of Deeds in Book 68861, Page 70 on February 27, 2023.

If you have any questions regarding these documents, please contact Mr. Gregg W. McBride, the Licensed Site Professional for the site, at 781-278-3828.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

Gregg W. McBride, LSP
Senior Consultant

RECEIVED

MAR 13 2023

Attachment: Certified Copy of Notice of AUL

cc: MassDEP, BWSC, CERO
Grafton Public Library

Planning Board
Grafton, MA

\\170,000-179,999\\171825\\171825-26JM8\\AUL inside the fence\\AUL documents to submit\\AUL Public Notice Letter - WG Inside the Fence.docx



2023 00015756

Bk: 68861 Pg: 70

Page: 1 of 19 02/27/2023 09:28 AM WD

Form 1075

Note: Pursuant to 310 CMR 40.1074(5), upon transfer of any interest in or a right to use the property or a portion thereof that is subject to this Notice of Activity and Use Limitation, the Notice of Activity and Use Limitation shall be incorporated either in full or by reference into all future deeds, easements, mortgages, leases, licenses, occupancy agreements or any other instrument of transfer. Within 30 days of so incorporating the Notice of Activity and Use Limitation in a deed that is recorded or registered, a copy of such deed shall be submitted to the Department of Environmental Protection.

NOTICE OF ACTIVITY AND USE LIMITATION
M.G.L. c. 21E, § 6 and 310 CMR 40.0000

Disposal Site Name: Wyman-Gordon Company
DEP Release Tracking No.(s): 2-535

This Notice of Activity and Use Limitation ("Notice") is made as of this 27 day of February, 2023, by Wyman-Gordon Company, together with its successors and assigns (collectively "Owner").

WITNESSETH:

WHEREAS, Wyman-Gordon Company is the owner in fee simple of that certain parcel of land located in Grafton, Worcester County, Massachusetts, with the buildings and improvements thereon, pursuant to a deed recorded with the Worcester County Registry of Deeds in Book 7481, Page 368 by the Land Registration Office of the Worcester Registry District;

WHEREAS, said parcel of land, which is more particularly bounded and described in Exhibit A, attached here of and made a part hereof ("Property") is subject to this Notice of Activity and Use Limitation. The Property is shown on Land Court Plan 17518-24, a copy of which is recorded in the Worcester County Registry of Deeds in Registration Book 7481, Page 368.

The Property is shown on plans recorded with the Worcester District Registry of Deeds in shown on Plan Book 150, Plan 19; Plan Book 547, Plan 102; Plan Book 149, Plan 121; Plan Book 217, Plan 24; Plan Book 207, Plan 66; Plan Book 360, Plan 8; Plan Book 134, Plan 81, Plan Book 681, Plan 123; Plan Book 208, Plan 122; Boston Albany RR Plans A29, A30, C4; Plan Book 208, Plan 104; Mass Highway Layout No. 2576 and Unrecorded Plan Boundary &

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Topographical Plan Owner: The Reconstruction Finance Corp. Prepared by: J.R. Worcester & Co.
Boston Mass dated 1946.

WHEREAS, a portion of the Property ("Portion of the Property") is subject to this Notice of Activity and Use Limitation. The Portion of the Property is more particularly bounded and described in Exhibit A-1, attached hereto and made part hereof. The Portion of the Property is shown on a plan recorded with the Worcester Registry of Deeds in Plan Book 969 Page 76, Plan 969 - 76

WHEREAS, the Portion of the Property comprises a Portion of a Disposal Site as the result of releases of oil and/or hazardous material. Exhibit B is a sketch plan showing the relationship of the Portion of the Property subject to this Notice of Activity and Use Limitation ("AUL Area") to the boundaries of said disposal site existing within the limits of the Property and to the extent such boundaries have been established. Exhibit B is attached hereto and made a part hereof; and

WHEREAS, one or more response actions have been selected for the Disposal Site in accordance with M.G.L. c. 21E ("Chapter 21E") and the Massachusetts Contingency Plan, 310 CMR 40.0000 ("MCP"). Said response actions are based upon (a) the restriction of human access to and contact with oil and/or hazardous material in soil and/or (b) the restriction of certain activities occurring in, on, through, over or under the Portion of the Property. A description of the basis for such restrictions, and the oil and/or hazardous material release event(s) or site history that resulted in the contaminated media subject to the Notice of Activity and Use Limitation is attached hereto as Exhibit C and made a part hereof;

NOW, THEREFORE, notice is hereby given that the activity and use limitations set forth in this Notice of Activity and Use Limitation are as follows:

1. Activities and Uses Consistent with Maintaining No Significant Risk Conditions.
The following Activities and Uses are consistent with maintaining a Partial Permanent Solution and a condition of No Significant Risk on the Portion of the Property subject to this AUL and, as such, may occur on the Portion of the Property pursuant to 310 CMR 40.0000:
 - (i) Current industrial use for forging and associated support activities, or other permitted commercial or industrial uses including retail establishments, office buildings, warehouses, parking lots, and any other activities associated with commercial/industrial use, provided that specific restrictions and obligations for Areas A, B, C, and D are followed as outlined in Paragraphs 2 and 3.
 - (ii) Use of existing buildings provided that the current foundations are maintained without the evaluation of potential exposure scenarios by an LSP.
 - (iii) Routine maintenance of the facility, grounds, landscaping, and vegetation

that does not result in soil excavation below 2 feet from the existing ground surface or disturbance of pavement or soil cover in Areas A, B, C and D as described in Paragraph 3;

- (iv) Emergency repair of existing underground utility infrastructure, provided that any excavated soil is managed in accordance with all local, state, and federal laws and regulations, provided that clean soil or pavement is replaced as required in Paragraphs 2 and 3;
- (v) Planned (non-emergency) excavation below 2 feet from the existing ground surface in Areas A, C, and D or disturbance of pavement in Area B, provided that such work is conducted under the oversight of a Licensed Site Professional (LSP) in accordance with the MCP, and a Soil Management Plan (SMP), and Health and Safety Plan prepared pursuant to Obligations and Conditions (i) and (ii) in Paragraph 3 of this Notice of Activity and Use Limitation;
- (vi) Use of the existing building in Area D for storage and occasional access by employees, provided that uses are not expanded without indoor air controls as required in Paragraph 3.
- (vii) Such other activities or uses which, in the Opinion of a LSP, shall present no greater risk of harm to health, safety, public welfare or the environment than the activities and uses set forth in this Paragraph.

2. Activities and Uses Inconsistent with Maintaining No Significant Risk Conditions. The following Activities and Uses are inconsistent with maintaining a Partial Permanent Solution and a condition of No Significant Risk pursuant to 310 CMR 40.0000, and, as such, may not occur on the Portion of the Property subject to this AUL:

- (i) Use of the Portion of the Property as a single-family residence, school, recreational area, daycare or childcare center as defined under the MCP (310 CMR 40.0006), or nursery, or other uses that could result in a child's ingestion of existing soils during high frequency or high intensity activities as defined by the MCP;
- (ii) The use of the Portion of the Property for growing fruits or vegetables intended for human consumption other than in raised containers or beds isolated from the underlying soil;
- (iii) Any planned (non-emergency) activities and/or uses in Areas A, B, C or D which involve excavation or disturbance of, or direct contact with the soil below 2 feet from the existing ground surface or disturbance of pavement or hardscapes, unless such activities and/or uses are conducted under the

oversight of a LSP in accordance with the MCP, a Health and Safety Plan, and a SMP, which are developed pursuant to Obligations and Conditions (i) through (vi) in item No. 3 of this Notice of Activity Use Limitation and the soil management guidelines outlined in Exhibit C.

- (iv) Changes in future use or redevelopment of the property, other than the current use, that involve the removal of existing structures or placement of future structures where soil excavation is required without the evaluation of potential exposure scenarios by an LSP in accordance with the Obligations and Conditions (i through vii) in item No. 3 of this Notice of Activity and Use Limitation.
- (v) Development of new buildings in Area D without a vapor intrusion assessment to design and install a sub-slab vapor barrier to control vapor migration.

3. Obligations and Conditions. The following obligations and/or conditions are necessary and shall be undertaken and/or maintained at the Portion of the Property to maintain a Partial Permanent Solution and a condition of No Substantial Hazard:

- (i) Existing building foundations must remain in place without the evaluation of potential exposure scenarios by an LSP.
- (ii) The pavement in Area B must be maintained and inspected yearly for damage or cracks. The pavement must be maintained to prevent disturbance or exposure to underlying soil. If the pavement is damaged or cracked the surface shall be repaired and/or repaved.
- (iii) The slab and building structure in Area D can only be used for storage with occasional access by employees. Any activity which disturbs the slab or building structure located in Area D requires a vapor assessment and installation of a vapor barrier. If a new building is constructed in Area D, a vapor intrusion assessment is required to design and install a sub-slab vapor barrier to control vapor migration.
- (iv) A Release Abatement Measure (RAM) Plan and SMP, shall be prepared by an LSP and implemented prior to the commencement of any planned (non-emergency) soil excavation below 2 feet from the existing ground surface in Areas A, B, C, or D. The SMP shall use the guidelines outlined in Exhibit C and describe soil excavation, handling, storage, transport, and disposal procedures and include a description of air monitoring procedures and dust and/or other engineering controls to limit potential exposure to contaminated soil via dermal contact, ingestion, and/or inhalation for on-site workers and trespassers in the vicinity. Any activity which disturbs pavement in Area B must repair the pavement. Procedures for managing groundwater encountered in the excavation during construction shall also

be addressed in the SMP. On-site workers must be informed of the requirements of the SMP, and the plan must be available on-site throughout the course of the project;

- (v) Any planned excavation in the electrical substation must include soil pre-characterization.
- (vi) A Health and Safety Plan must be prepared by a Certified Industrial Hygienist or other qualified individual sufficiently trained in worker health and safety requirements and implemented prior to the commencement of any non-emergency soil excavation below 2 feet from the existing ground surface in Areas A, B, C, or D. The Health and Safety Plan shall be prepared in accordance with the provisions of the MCP at 310 CMR 40.0018. The Health and Safety Plan shall require workers encountering subsurface soils to be adequately protected and trained consistent with relevant federal and state occupational, health and safety requirements (e.g. 29 CFR 1910.120). The Health and Safety Plan should specify the type of personal protection (i.e., clothing, respirators), engineering controls, and environmental monitoring necessary to prevent worker exposures to contaminants through dermal contact, ingestion, and/or inhalation. Workers must be informed of the requirements of the Health and Safety Plan, and the plan must be available on-site throughout the course of the project;
- (vii) Soil or groundwater recovered and removed from below 2 feet from the existing ground surface in Areas A, C or D, pavement in Area B, and building structure in Area D must be managed in accordance with applicable federal, state, and local regulations, the provisions of Section 310 CMR 40.0030 of the MCP and conducted under the oversight of an LSP.

4. Proposed Changes in Activities and Uses. Any proposed changes in activities and uses at the Portion of the Property which may result in higher levels of exposure to oil and/or hazardous material than currently exist shall be evaluated by an LSP who shall render an Opinion, in accordance with 310 CMR 40.1080, as to whether the proposed changes are inconsistent with maintaining a Permanent Solution and a condition of No Substantial Hazard.

5. Violation of a Permanent Solution. The activities, uses and/or exposures upon which this Notice is based shall not change at any time to cause a significant risk of harm to health, safety, public welfare, or the environment or to create substantial hazards due to exposure to oil and/or hazardous material without the prior evaluation by a Licensed Site Professional in accordance with 310 CMR 40.1080, and without additional response actions, if necessary, to maintain a condition of No Significant Risk.

If the activities, uses, and/or exposures upon which this Notice is based change without the prior evaluation and additional response actions determined to be necessary by an LSP in accordance with 310 CMR 40.1080, the owner or operator

of the Portion of the Property subject to this Notice at the time that the activities, uses and/or exposures change, shall comply with the requirements set forth in 310 CMR 40.0020.

6. Incorporation into Deeds, Mortgages, Leases, and Instruments of Transfer. This Notice shall be incorporated either in full or by reference into all future deeds, easements, mortgages, leases, licenses, occupancy agreements or any other instrument of transfer, whereby an interest in and/or a right to use of the Property or a portion thereof is conveyed in accordance with 310 CMR 40.1074(5).

Owner hereby authorizes and consents to the filing and recordation and/or registration of this Notice, said Notice to become effective when executed under seal by the undersigned LSP, and recorded and/or registered with the appropriate Registry of Deeds and/or Land Registration Office.

WITNESS the execution hereof under seal this 11 day of January 2023

Wyman-Gordon Company

By: Ruth A Beyer

Name: Ruth A. Beyer

Title: Sr. VP & General Counsel

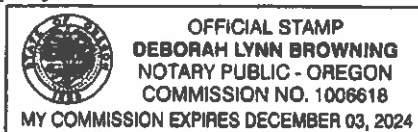
Authorized Representative

State of Oregon

Clackamas County, ss

Jan. 11, 2023

On this 11th day of January, 2023, before me, the undersigned notary public, personally appeared Ruth A. Beyer, personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose as Sr. VP & General Counsel for Wyman-Gordon Company.



(official signature and seal of notary)

Deborah Lynn Browning
Print Name: Deborah Lynn Browning
My commission expires: _____

The undersigned Licensed Site Professional hereby certifies that in his Opinion this Notice of Activity and Use Limitation is consistent with a Partial Permanent Solution Statement with Conditions and maintaining a condition of No Substantial Hazard.

Date: January 31, 2023

Gregg W. McBride

Gregg W. McBride)

LSP # 6048

[LSP SEAL]



COMMONWEALTH OF MASSACHUSETTS

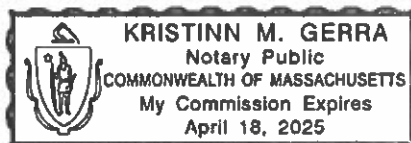
Norfolk, ss

January 31, 2023

On this 31st day of January, 2023, before me, the undersigned notary public, personally appeared Gregg W. McBride, proved to me through satisfactory evidence of identification, which were personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

Kristinn M. Gerra

(official signature and seal of notary)



Upon recording, return to:

Wyman-Gordon Company
244 Worcester Street
North Grafton, Massachusetts 01536

EXHIBIT A-1

PROPERTY TO WHICH AUL APPLIES

244 WORCESTER STREET
GRAFTON, MASSACHUSETTS
(WORCESTER COUNTY)

Beginning at a point, said point being the southeasterly corner of the described Property on the northerly sideline of Worcester Street; thence running along the northerly sideline of Worcester Street for five courses:

S 83°-46'-05" W , a distance of 131.22 feet to the center back of a Massachusetts Highway Bound;
along a curve to the right with a radius of 2000.00 feet, a length of 134.91 feet and a delta of 03°-51'-54" to a point;
S87°-36'-40"W, a distance of 1073.20 feet to the center back of a Massachusetts Highway Bound;
S87°-36'-40"W, a distance of 1106.51 feet to point;
along a curve to the right with a radius of 2413.50 feet, a length of 176.17 feet and a delta of 04°-10'-56" to the center back of a Massachusetts Highway Bound;

thence turning and running for two courses by land now or formerly of New England Power Company:

N 09°-10'-04" W, a distance of 302.78 feet to a point;
N 12°-09'-44" E, a distance of 2089.83 feet to a point on the southerly sideline of the Boston and Albany Railroad;

thence turning and running along the southerly sideline of the Boston and Albany Railroad for three courses:

N 80°-54'-44" E, a distance of 1118.61 feet to a point;
along a curve to the left with a radius of 6122.61 feet, a length of 222.18 feet and a delta of 02°-04'-45" to a point;
along a curve to the left with a radius of 7511.42 feet, a length of 264.95 feet and a delta of 02°-01'-16" to a point;

thence turning and running along property, now or formerly, of the New England Power Company for six courses:

S 41°-31'-44" W, a distance of 75.00 feet to a point;
N 60°-10'-14" E, a distance of 81.50 feet to a point;
N 76°-14'-30" E, a distance of 116.29 feet to a point;
along a curve to the left with a radius of 6873.99 feet, a length of 1310.10 feet and a delta of 10°-55'-12" to a point;
along a curve to the left with a radius of 7215.03 feet, a length of 503.70 feet and a delta of 04°-00'-00" to a point;
along a curve to the left with a radius of 5553.47, a length of 118 feet, more or less, to a point;

thence turning and running along land, now or formerly, of Johnson along the record location of the approximate centerline of the Blackstone River Chanel through Hovey Pond a distance of 1630 feet, more or less, to a drill hole;

thence turning and running by land of Johnson, N 86°-40'-07" W, a distance of 303 feet, more or less to a point;

thence turning and running by land of Gavel, Oevermann, Lee, Rowe, Egan, Gallagher and David for 15 courses:

- S 76°-25'-13" W, a distance of 5.79 feet to a drill hole;
- S 57°-03'-52" W, a distance of 74.23 feet to a drill hole;
- S 53°-20'-51" W, a distance of 57.08 feet to a point;
- S 66°-49'-48" W, a distance of 8.99 feet to a point;
- S 54°-04'-25" W, a distance of 45.46 feet to a point;
- S 61°-17'-43" W, a distance of 19.58 feet to a drill hole;
- S 54°-41'-30" W, a distance of 72.31 feet to a point;
- S 55°-33'-49" W, a distance of 107.46 feet to a point;
- S 55°-16'-11" W, a distance of 86.79 feet to a drill hole;
- S 56°-45'-31" W, a distance of 93.08 feet to a point;
- S 57°-31'-24" W, a distance of 10.72 feet to a drill hole;
- S 53°-03'-38" W, a distance of 36.88 feet to a point;
- S 51°-28'-29" W, a distance of 29.16 feet to a point;
- S 56°-18'-57" W, a distance of 31.86 feet to a point;
- S 50°-02'-51" W, a distance of 16.11 feet to a point;

thence turning and running by land now or formerly of Macura Realty Trust, S 79°-06'-53" W, a distance of 664.05 feet to an iron pipe;

thence continuing by land now or formerly of Macura Realty Trust, Fleming and Plourde, S 13°-38'-14" W, a distance of 685.43 to an iron pipe;

thence turning and running by land, now or formerly, of Fleming and Plourde, for four additional courses:

- N 83°-38'-14" E, a distance of 56.90 to a point;
- S 09°-42'-57" W, a distance of 105.30 to an iron pipe;
- S 40°-14'-49" W, a distance of 43.55 to an iron pipe;
- S 40°-00'-21" E, a distance of 32.95 to an iron pipe;

thence turning and running by land, now or formerly of Purohit, for 13 courses"

- S 15°-58'-12" E, a distance of 38.02 feet to a point;
- S 29°-07'-44" W, a distance of 50.54 feet to a drill hole;
- S 25°-06'-03" W, a distance of 11.73 feet to a point;
- S 29°-14'-00" W, a distance of 23.86 feet to a point;
- S 31°-38'-59" W, a distance of 32.76 feet to a drill hole;
- S 17°-00'-36" W, a distance of 28.15 feet to a point;
- S 11°-57'-05" W, a distance of 12.66 feet to a point;
- S 15°-28'-35" W, a distance of 29.49 feet to a drill hole;
- S 21°-13'-53" W, a distance of 26.10 feet to a point;
- S 15°-31'-07" W, a distance of 22.14 feet to a drill hole;
- S 15°-17'-01" W, a distance of 21.83 feet to a point;
- S 17°-26'-37" W, a distance of 60.03 feet to a drill hole;
- S 14°-14'-38" W, a distance of 31.19 feet to a drill hole;

thence running by land, now or formerly, of Noel for four courses:

- S 19°-03'-17" W, a distance of 39.60 feet to a point;
- S 18°-49'-49" W, a distance of 56.70 feet to a point;
- S 03°-56'-56" E, a distance of 39.09 feet to a point;
- S 06°-07'-27" E, a distance of 159.32 feet to an iron pipe;

thence running by land now or formerly of Makoul, S 05°-40'-20" E, a distance of 150.58 feet to the point of beginning.

The above described property contains 8,393,803 square feet, more or less, or 192.70 acres, more or less, as shown on the plan entitled, "Plan of Land, (Portions are Subject to the AUL), Grafton, Massachusetts" prepared by GLM Engineering Consultants, Inc. dated January 27, 2020.

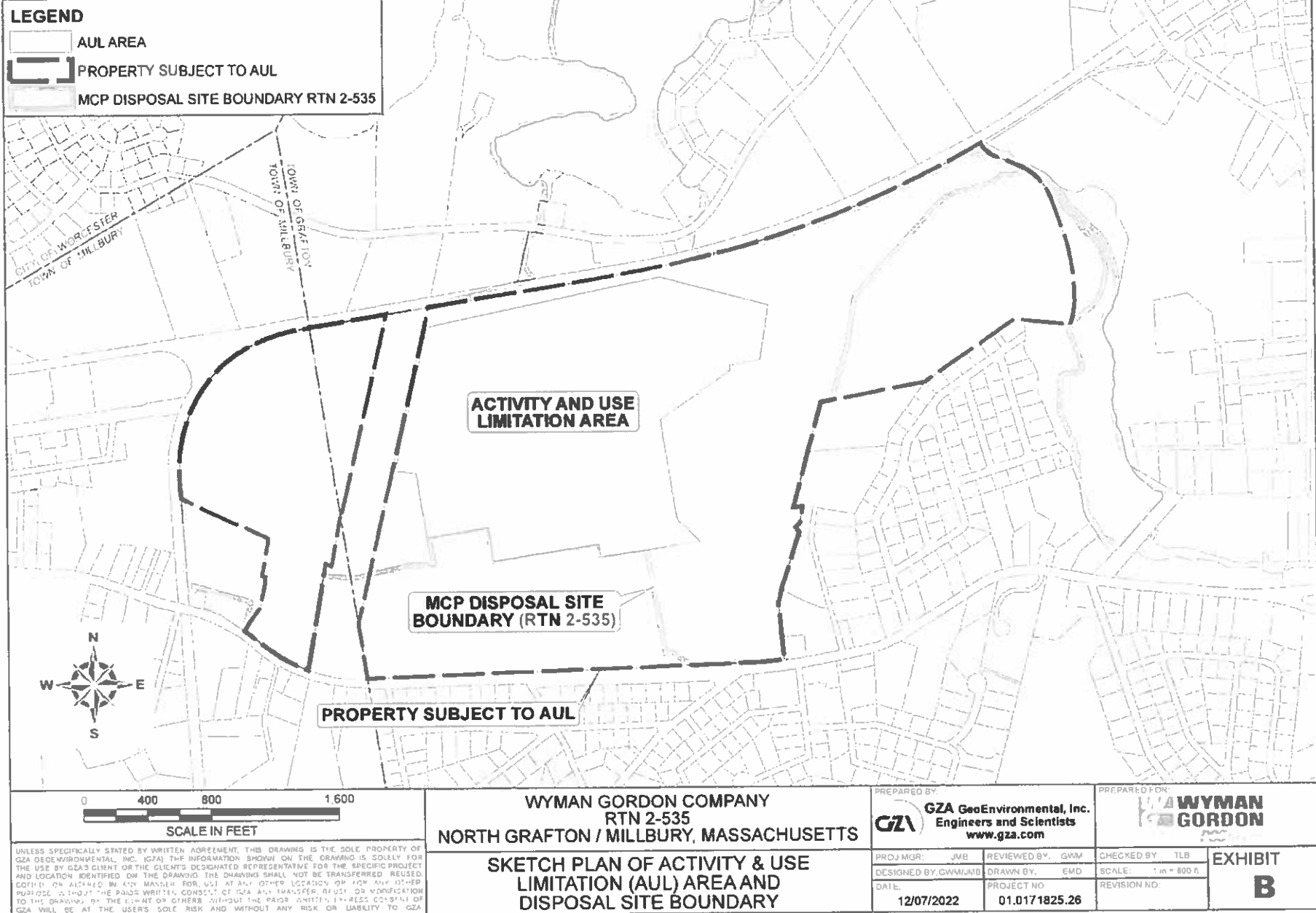




EXHIBIT C
LSP ACTIVITY AND USE LIMITATION
NARRATIVE Wyman-Gordon
North Grafton, Massachusetts
MassDEP RTN 2-00535

This Exhibit C has been prepared by GZA in accordance with the requirements of 310 CMR 40.1074(2)(e) through (g) and is being submitted as an exhibit to Form 1075, Notice of Activity, and Use Limitation (AUL). The following sections provide a description of the disposal site (hereafter referred to as the "Site") history that resulted in the contaminated media subject to the AUL as well as a basis for the restriction of certain activities occurring in, on, through, over, or under the Wyman-Gordon (WG) property subject to the AUL as depicted on Exhibit B (AUL Areas on the Property). The AUL encompasses a portion of the 244 Worcester Street property, as described in the Partial Permanent Solution Statement with Conditions (PPSSC) Report, which will be filed with the Massachusetts Department of Environmental Protection (MassDEP) subsequent to the recording of this AUL.

EXHIBIT C REQUIREMENTS

According to Form 1075 and 310 CMR 40.1074 (2) (e) through (g), Exhibit C shall include the following three items: a description of the oil and/or hazardous material release event(s) or Site history that resulted in the contaminated media subject to the Notice of AUL; a description of the contaminated media subject to the Notice of AUL; and a statement that specifies why the AUL is appropriate to maintain a Permanent Solution and condition of No Significant Risk at the Site.

1. Description Of Site History That Resulted In The Contaminated Media Subject To The Notice of AUL

WG owns and operates an industrial manufacturing plant located at 244 Worcester Street (Route 122) in North Grafton, Massachusetts. The manufacturing operations at the facility include ferrous and nonferrous metal forging for products and parts used in the aerospace and aircraft industries. The property is approximately 232 acres in size and encompasses land in North Grafton and Millbury, Massachusetts. The facility includes approximately 72,100 square feet of warehouse/office space on the Millbury side of the property and 841,500 square feet of manufacturing area on the North Grafton side of the property.

Most of the WG property is being managed as a Disposal Site under the Massachusetts Contingency Plan (MCP; 310 CMR 40.000), which is listed with the MassDEP as Release Tracking Number (RTN) 2-00535. The WG North Grafton facility is also in the US Environmental Protection Agency (EPA) Resource Conservation and Recovery Act (RCRA) Corrective Action (CA) Program due to its previous temporary status as a Storage Facility of Hazardous Waste. Several waste management treatment and storage (HWS) units were also closed under the Massachusetts Hazardous Waste Regulations (310CMR 30.000).

Due to the number of potential areas of concern and the size of this Site, investigations and remediation has been conducted by sub-areas. The portion of the MCP Site addressed under this AUL is located inside the facility fence in North Grafton, including the industrial buildings. The AUL portion of the property has been investigated and reported in two general areas: East Side inside the fence (ES) and the West Side inside the fence (WS). The ES portion includes the area between the Site buildings and the eastern fence line, south of the CSX Railroad right-of-way and north of the Former Rinse Water Treatment Facility (RTF) Impoundment Area. The WS portion of the property is between the Site buildings and the western fence line, south of the CSX Railroad right-of-way and north of the employee parking area.



The CA areas and HWS areas were remediated as needed so that they were deemed closed by USEPA and MassDEP. This AUL is required to prevent changes in land use in the ES and WS that could result in increases in the frequency and intensity of human exposure to residual contaminants. Within the property to which the AUL applies are former areas of concern which have been remediated so that "No Significant Risk," as defined by the MCP, was achieved¹. Figure Exhibit C-1 shows the location of these areas.

- Former Septic System Filter Beds and Trickling Filter Treatment System (NE-4).
- Sludge Drying Beds of Sewage Treatment Plant (NE-5),
- Former Presswater Treatment Facility (PTF) Impoundments (NE-7 and NE-8),
- American Petroleum Institute (API) Separator (NE-9),
- Oily Wastewater Treatment Plant (NE-10),
- Former NPDES Impoundment 001 (NE-11) and the Oil Skimmings Holding Tank (NE 12),
- Waste Oil Holding Tank (NE-13),
- Waste Oil and Coolant Tanks Vault Area (NE-14),
- Former Aboveground Fuel Oil Tanks and Empty Drum Holding Area (NE-16 and NE-19), •
- UST Area (NE-14),
- Treatment and Storage Facility (TSF) 5 and 7 Areas
- Wastewater Treatment Plant (SE-5),
- Aboveground Tank Located on Berm (SE-6),
- Container Shipment Preparation and Accumulation Area (SE 7),
- Former Hazardous Waste Storage Areas 1, 3, 4, 5, 6, 7 and 8
- Large Volume Container Storage Area (SE-9A – SE-9C)
- Oily Debris Tote Box Storage Ara (SE-10)
- Parking Area and Waste Transport Tankers (SE-8),

The remediation for the areas listed above achieved a condition of No Significant Risk to human receptors. Other than the four areas described below, OHM are typically lower concentrations reflecting the industrial history of the property. This AUL is required to prevent changes in land uses that could result in increases in the frequency and intensity of human exposure to residual contaminants. Confirmatory samples collected as part of the individual closures were used

¹ The investigation and closures or completion reports were prepared at various times between 1990 and 2018. All documents are referenced in the Partial Permanent Solution Statement. The NE (northeast), SE (southeast), and W (west) designations are references to the Self Disclosure list provided to USEPA in a letter dated July 8, 1985, which has been used to track these items.



in the risk assessments completed to support the Permanent Solution Statement, which this AUL will support. There are four areas within the AUL area (Magnesium Thorium area, Construction Debris Landfill (including a remediated former PCB Hot Spot), Former Hazardous Waste Storage Area 2, and the former West Side Impoundment Area) which did not reach this endpoint. They require additional restrictions and maintenance of the current land use in the ES and WS Areas due to sub-surface conditions as described in Section 2.

2. Description Of Contaminated Media Subject to The Notice of AUL

The soil and groundwater have low residual concentrations of residual OHM, which reflect 75 years of industrial use for metal forging and treatment. Constituents detected in soil and groundwater within the Partial Site include volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs; predominantly polycyclic aromatic hydrocarbons, or PAHs), polychlorinated biphenyls (PCBs), petroleum hydrocarbons, and metals.

A description of the contaminated media in the AUL Areas which require additional restrictions are described below.

Area A- Construction Debris Landfill (NE-1)

During closure activities at the former API Separator in early November 1999, GZA observed buried containers and other debris within an embankment area immediately to the northeast of the API Separator. The embankment appeared to be the southern-most limit of a previously listed area of concern identified as the Eastern Fill Area (NE-1). The subsurface profile in the area indicated a variable thickness of landfill debris ranging between approximately 1 and 6.5 feet, encountered at depths ranging from the ground surface to approximately three feet below the ground surface. The landfill debris consisted of variable amounts of soil materials (i.e., sand, gravel, and silt). Also, it contained wood pieces, metal pieces, crushed metal drums, drum lids, slag, wire, ceramic bricks, and other solid waste. None of the crushed drums encountered during the test pit program were observed to contain waste materials inside the containers. However, evidence of oil staining and odors were observed in soils present next to two drums at the southern edge of the debris landfill area. Subsequent assessment indicated that PCBs were present at concentrations up to 320 mg/Kg, which is above the Upper Concentration Limit (UCL) for PCBs specified in the MCP. Soil contaminated with PCBs was localized in the immediate area of the initial API Separator excavation, and PCBs were not widespread within the former landfill deposits.

GZA prepared a Method 3 Risk Characterization of the east side of the North Grafton facility in March 2004 and concluded that PCBs in the soil at the southern end of the landfill (adjacent to the API Separators) constituted a "Hot Spot," as defined by the MCP. GZA later prepared a RAM Plan for the excavation and removal of PCB-contaminated soil with the objective of reducing the level of PCBs in the Hot Spot area. The RAM was conditionally approved by MassDEP on December 20, 2005. GZA excavated approximately 148 tons of PCB-contaminated soil from the location of the drums. Soil excavation continued until confirmatory soil samples were collected and analyzed to assess that cleanup goals had been achieved. Sixteen samples were collected and submitted for PCB analyses following the excavation. The average concentration of PCBs in the remaining soil is 6.5 mg/Kg, based on 12 confirmatory samples from the limits of the excavation. PCB-containing soil and debris was shipped by rail to Wayne Disposal, Inc. in Belleville, Michigan, in 2006. The landfill debris consisted of variable amounts of soil materials (i.e., sand, gravel, and silt) and also contained wood pieces, metal pieces, crushed metal drums, drum lids, slag, wire, ceramic bricks, and other solid waste. None of the crushed drums encountered during the test pit program were observed to contain waste materials inside the containers, although evidence of minor oil staining and odors were observed in soils present in close proximity to the drums in some locations. The southern portion of the landfill has a small area with low concentrations of PCBs below 5 feet (PCB "hot spot" prior to remediation). Soil with average concentrations of PCBs in the remaining soil is 6.5 mg/Kg, based on 12 confirmatory samples from the limits of the excavation. To ensure that the subsurface materials are not



disturbed, excavation below 2 feet in Area A is prohibited. There are no utilities in this area which would require emergency repairs.

Area B - Magnesium Thorium area (NE-3)

Between 1958 and 1971, W-G held several licenses from the US Atomic Energy Commission (AEC) for the possession and use of magnesium-thorium alloys and uranium; the last license for this material was terminated in 1971. During this period, WG used solid magnesium with 3 percent thorium to manufacture magnesium-thorium forgings. Approximately 50,000 pounds (167 cubic yards) of thorium-contaminated scrap and equipment were disposed on-site under 10 CFR 20.304 in approximately 25 trenches arranged in three groups in the northeast portion of the Grafton facility. This method of disposal was in accordance with federal regulations in force at that time. The trenches were approximately 6 feet deep, 3 feet wide, containing up to 2 feet of thorium-contaminated scrap and equipment, then filled to grade with about 4 feet of soil. The bottoms of the trenches were believed to be 4 to 5 feet above the water table. Since 1990, WG contractors have monitored three wells in the vicinity of the magnesium-thorium disposal pits; alpha and beta activity have not been detected above background levels. The United States Nuclear Regulatory Commission (NRC) was the successor agency which previously required groundwater monitoring of the magnesium-thorium disposal area. Responsibility was transferred to the Massachusetts Department of Public Health (MassDPH) in the early 1990s. Monitoring reports are periodically submitted to MassDPH. To ensure that these subsurface materials are not disturbed, excavation below 2 feet in Area B is prohibited. There are no utilities in this area which would require emergency repairs.

A former PCB Storage Trailer Area (NE-18) which was removed in the 1990s was located within the boundary of Area B. PCB-containing waste materials were stored in barrels in the trailer prior to off-site disposal. Sampling of soil beneath the former trailer location did not detect PCBs.

Area C - Former Hazardous Waste Storage Area 2 (NE-6)

Area 2 was one of eight TSFs identified at the W-G North Grafton facility, which required Closure under applicable State and Federal hazardous waste regulations. Unlike the other former storage areas, which were closed by removal of residuals, the approved Closure Plan for Area 2 included paving of the area to create an exposure barrier. The exposure barrier was needed due to the residual petroleum constituents and metals. A limited area also has PCBs remaining in the shallow soil. It continues to be used as an accumulation area for regulated oily debris. Area C has an additional requirement of regular monitoring of the pavement integrity and repair as needed. The Closure Certification Report for three adjoining former waste management areas, including Area 2, was submitted to MassDEP in August 2000.

Area D- West Side Impoundment (WSI) Area

The former earthen impoundments in the WSI Area were historically used to neutralize acid rinse water in two unlined impoundments. During the construction of a utility conduit from the Butler Building to the Air Pollution Control (APC) building, waste material was encountered from 2 to 4 feet below the ground surface. The waste was later identified as metal hydroxide sludge, which was formed from the neutralization of acidic water solution containing metals. Following an investigation, a RAM under the MCP was conducted to excavate and dispose of the sludge at a hazardous waste facility. Approximately 1,700 tons of sludge were shipped by rail to US Ecology (formerly EQ) in Belleville, Michigan. The sludge was tested by both the receiving facility and WG prior to shipment, and only low concentrations of CVOCs were measured. When the waste was received at the facility, higher concentrations of CVOCs were measured, and it was speculated that solvent inclusions had been present. Additional investigation was conducted, which detected the presence of CVOCs in soil and groundwater in the area of the former impoundments.



A Phase II Comprehensive Site Assessment (CSA) for the western portion of the Site (which includes the former WSI) was submitted to the MassDEP in September 2006. Shallow wells (screened principally in the upper portion of the silty sand), intermediate wells (screened principally in the lower portion of the silty sand), deep wells (screened principally in the lower portion of the sandy gravel or glacial till), and bedrock wells (screened in shallow bedrock at greater than 70 feet below ground surface) were installed to assess the extent of CVOCs in the area. PCE and degradation products (trichloroethene (TCE), 1,1,1-trichloroethane, 1,1-dichloroethene (1,1-DCE), 1,1-dichloroethane (1,1-DCA), cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-dichloroethene (trans-1,2-DCE) and vinyl chloride) were detected in one or more of these monitoring wells during this investigation, and many of these analytes exceeded the relevant Method 1 risk-based standards by one or more orders of magnitude.

Concurrent with the submission of the Phase II CSA, GZA submitted a RAM Plan to conduct an Enhanced Reductive Dechlorination (ERD) Remedial Pilot Study (RPS) within the WSI area. Three different organic carbon remedial additives were tested in 4 different locations to assess their efficacy and to evaluate if a full-scale ERD program at the Site was feasible. The additives successfully reduced PCE concentrations by more than 95% in the locations. A RAM Completion Report summarizing these findings was submitted to MassDEP in March 2008.

A Phase IV RIP was submitted in July 2009 for implementation of a full-scale ERD program at the Site. The purpose of the ERD program was to reduce CVOC concentrations to below levels that would cause a Significant Risk (as defined in the MCP) to facility workers in the nearby Butler building. Seven shallow test pits were excavated within the WSI source area. Each test pit was excavated to the top of the apparent groundwater table. Four-inch diameter injection wells were installed in 4 of the 7 test pits to facilitate future remedial injections (designated IP-1, IP-2, IP-4, and IP-7). More than 20,000 gallons of diluted lactose/brewer's yeast mixture was gravity fed into the test pits during the Phase IV activities. The Phase IV injections were completed in August 2009. Following field implementation, six monitoring wells (GZ-201, GZ-201M, and GZ-202 through GZ-205) were installed in April 2010 to assess the effectiveness of the ERD program. Two rounds of groundwater samples were collected from these wells using a modified version of the EPA Low Flow Method (May 2010 and September 2011). In the shallow wells, GZA generally observed decreasing PCE trends in 2010, and PCE rebounded to pre-injection concentrations in 2011. Little to no effect was observed in deeper wells, as expected with a shallow injection program. Further work was delayed except for testing of the indoor air within the Butler Building to assess potential future uses of the building. The building was primarily used for storage.

In February 2018, GZA performed a well reconnaissance, surveying, and sampling program. Twenty-six wells were located and determined to be viable. Ten of these wells were sampled to assess the vertical and horizontal concentration of CVOCs approximately seven years following the full-scale ERD injection program. Indoor air samples were collected concurrently with the groundwater sampling event from the Butler building's storage and laboratory areas. An ambient air sample was also collected south of the Butler building. Groundwater concentrations had significantly decreased from earlier levels, but VOCs continued to migrate into the building. The air samples collected in February 2018 were near or slightly exceeded MassDEP's Commercial/Industrial Indoor Air Threshold value for PCE. Additional indoor air testing has resulted in similar concentrations in the building.

Based on the analytical results and the limited use of the Butler building for storage, the inhalation risk was not considered significant due to the infrequent use by employees. If the frequency of use is increased, the detected concentrations could potentially pose a significant risk via vapor intrusion. Additionally, if new structures were to be constructed in the area of the former impoundments, vapor intrusion could be a potential exposure risk if not controlled by a vapor barrier. Area D within the AUL area has specified the continued use for the existing Butler Building for storage and requires mitigation of vapors if the building use is changed or a new building is constructed.



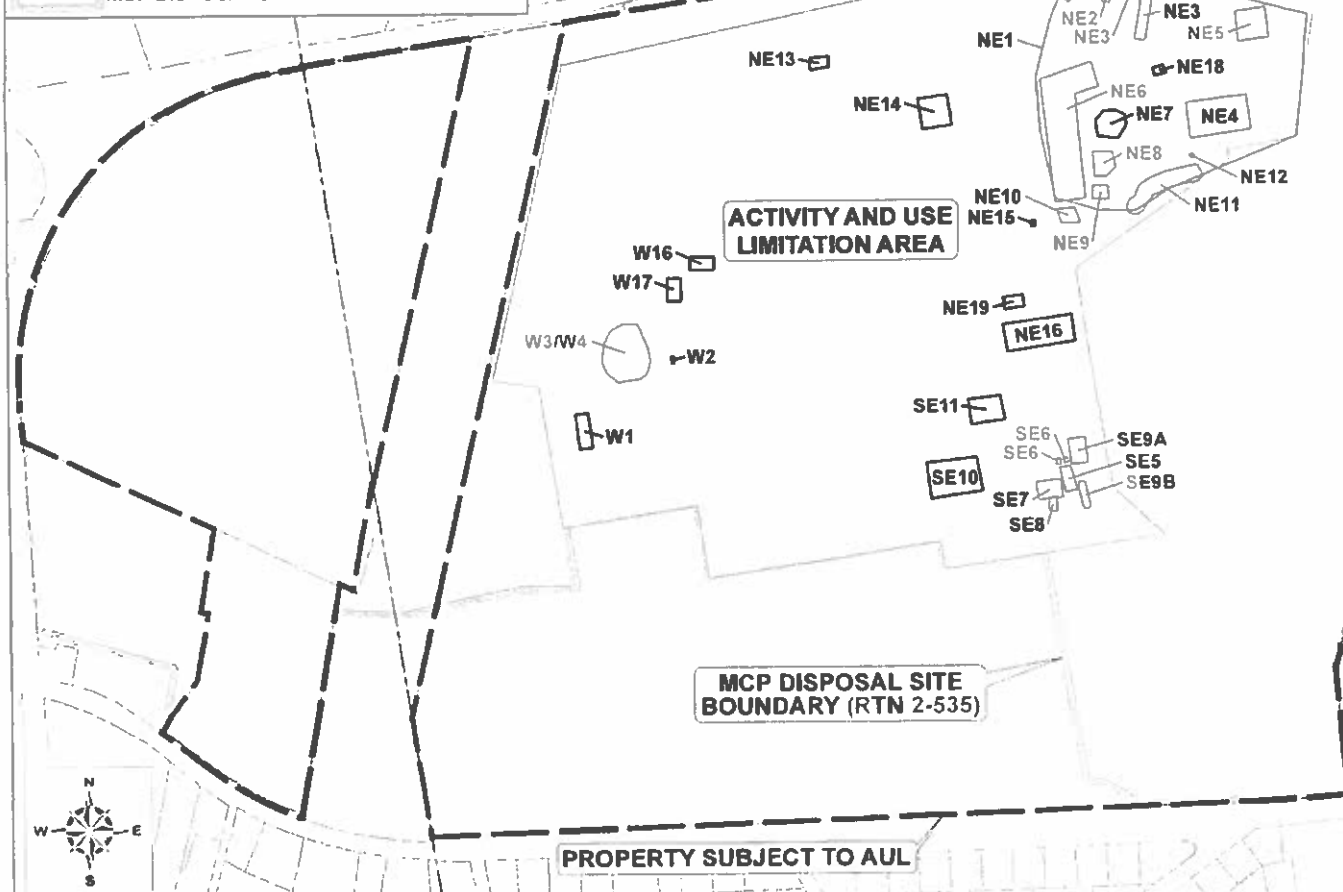
3. Why The Notice Of Activity And Use Limitation Is Appropriate To Maintain A Permanent Solution And Condition Of No Significant Risk

The risk characterization completed to support this AUL demonstrates that a condition of No Significant Risk, as defined by the MCP, exists at the Partial Site under current commercial and industrial Site activities and uses. In addition, given the implementation of this AUL that precludes future residential use of the Site, a condition of No Significant Risk will be maintained at the Site in the future.

As indicated in the MCP (310 CMR 40.0923(3)(b)), specific activities and uses which would be reasonably foreseeable may be eliminated from further consideration in the risk characterization through the implementation of AULs, which specify the acceptable and unacceptable future activities and uses. Based on the human health risk characterization results, a condition of No Significant Risk of harm to human health exists at the Site for current land uses and activities but does not exist for all potential future land uses in the AUL area, especially the four named AUL areas with special restrictions. Accordingly, an AUL has been applied to this portion of the property to restrict residential use and other uses with sensitive receptors. There are also restrictions on gardening/agricultural activities. The specific assumptions regarding the limitations on these activities, which are incorporated into the AUL, are described in Form 1075, to which this narrative is an Exhibit.

The calculated risk estimates for exposure scenarios were compared to the MCP non-cancer risk limit of a hazard index (HI) of one (1) and the MCP cancer risk limit of an excess lifetime cancer risk (ELCR) of one in one hundred thousand (1×10^{-5}). The risk estimates for the current and unrestricted future use exposure scenarios do not exceed the MCP risk limits, the OHM in Site soil and groundwater associated with the Partial Site poses No Significant Risk of harm to human health under the current and future uses with the AUL in place. These conclusions are based on a Method 3 risk characterization which included assumptions restricting Site use, which are described in the 1075 AUL form. Any significant deviation from the assumptions outlined in this Notice may negate the conclusions listed above.

- LEGEND**
- W1 AREA OF CONCERN
 - AUL AREA
 - PROPERTY SUBJECT TO AUL
 - MCP DISPOSAL SITE BOUNDARY RTN 2-535



AREA	DESCRIPTION
NE01	FILL AREA (LOW)
NE02	SUPPLIES EQUIPMENT DISPOSAL AREA (LOW)
NE03	WASTE SUPPLIES DISPOSAL AREA (LOW)
NE04	WASTE SUPPLIES DISPOSAL AREA (LOW)
NE05	SEWAGE TREATMENT PLANT (LOW)
NE06	SEWAGE TREATMENT PLANT (SLUDGE DRYING BEDS) (LOW)
NE07	CONTAINER STORAGE AREA (LOW)
NE08	NORTH PTF IMPOUNDMENT (HIGH)
NE09	SOUTH PTF IMPOUNDMENT (HIGH)
NE10	CLIMATE SEPARATORS (MEDIUM)
NE11	OIL WATER TREATMENT PLANT (MEDIUM)
NE12	EMPTY SMALL VOLUME CONTAINER HOLDING AREA (LOW)
NE13	WASTE OIL HOLDING TANK (HIGH)
NE14	WASTE OIL & COOLANT STORAGE TANKS (LOW)
NE15	WASTE TREATMENT RESIDUE TANKS (MEDIUM)
NE16	GROUP DIVERSION TANKS (FORMER FUEL OIL STORAGE (LOW)
NE17	PCB STORAGE AREA (HIGH)
NE18	EMPTY SMALL VOLUME CONTAINER HOLDING AREA (LOW)
NE19	WASTEWATER TREATMENT PLANT (LOW)
SE01	WASTE STORAGE AREA (LOW)
SE02	SHIPMENT PREPARATION AND ACCUMULATION AREA (LOW)
SE03	WASTE TRANSPORT TANKERS AND PARKING AREA (LOW)
SE04	EMPTY LARGE VOLUME CONTAINER STORAGE AREA A (LOW)
SE05	EMPTY LARGE VOLUME CONTAINER STORAGE AREA B (LOW)
SE06	ONLY DEBRIS TOTE BOX STORAGE AREA
SE07	CHP STORAGE (LOW)
SE08	IMPOUNDMENT (MEDIUM)
SE09	TREATMENT TANK (MEDIUM)
SE10	IMPOUNDMENT (MEDIUM)
SE11	IMPOUNDMENT (MEDIUM)
SE12	EMPTY SMALL VOLUME CONTAINER STORAGE AREA (LOW)
SE13	AIR POLLUTION CONTROL DUCTS (MEDIUM)

ATTEST: W.O.R.C. Kathryn A. Toomey, Register

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WYMAN GORDON COMPANY
RTN 2-535
NORTH GRAFTON / MILLBURY, MASSACHUSETTS

**SKETCH PLAN OF ACTIVITY & USE
LIMITATION (AUL) AREA AND
DISPOSAL SITE BOUNDARY**

PREPARED BY:
GZA GZA GeoEnvironmental, Inc.
Engineers and Scientists
www.gza.com

PROJ MGR: JMB
DESIGNED BY: GWM/JMB
DATE: 12/07/2022

REVIEWED BY: GWM
DRAWN BY: EMD
PROJECT NO: 01.0171825.26

PREPARED FOR:
WYMAN GORDON

CHECKED BY: TLB
SCALE: 1 in = 500 ft
REVISION NO:

**FIGURE
C-1**



Natalia Alward <alwardn@graffon-ma.gov>

More Proposed Bylaw Updates Available from Bylaw Study Committee

1 message

'DAVID ROBBINS' via Planning Department <PlanningDept@graffon-ma.gov>

Wed, Mar 1, 2023 at 3:38 PM

Reply-To: DAVID ROBBINS <robbins.dave@verizon.net>

To: Disability Commission <disabilitycommission@graffon-ma.gov>, Planning Department <planningdept@graffon-ma.gov>, Colleen Roy <royc@graffon-ma.gov>, Chief Normand Crepeau <chief@graffonpolice.com>, Paul Cournoyer <cournoyerp@graffon-ma.gov>, Mary Lauria <lauriam@graffon-ma.gov>, smiths@graffon-ma.gov, Board of Assessors <assessors@graffon-ma.gov>, Leah Cameron <cameronl@graffon-ma.gov>, goodrichm@graffon-ma.gov, Evan Brassard <brassarde@graffon-ma.gov>, Michael Killeen <killeenm@graffon-ma.gov>, Melinda MacKendrick <mmackendrick@town.westborough.ma.us>, Dawn Anderson <andersond@graffon-ma.gov>, Jen Andersen <andersenj@graffon-ma.gov>, Nancy Connors <connorsn@graffon-ma.gov>, Kandy Lavallee <lavalleek@graffon-ma.gov>, Select Board Office <bosgroup@graffon-ma.gov>, John Allen <allenj@graffon-ma.gov>, Daniella Sharma <danielasharma@gmail.com>, Finance Committee <fincom@graffon-ma.gov>, Robert Berger <bergerr@graffon-ma.gov>, David Therrien <dave.therrien@verizon.net>, Joanne Duncan <duncanj@graffon-ma.gov>, billnich2@verizon.net

The Bylaw Study Committee has added to the set of drafts of proposed bylaw revisions for review and comment.

Because you have been identified as an individual or agency involved in the administration of one or more bylaws, the Committee wishes to keep you informed as updates become available for review.

The Committee invites you to review those updates that are of interest to you and welcomes your comments and suggestions as we continue our work.

All proposed bylaw revisions can be found on the Bylaw Study Committee's web page at <https://www.graffon-ma.gov/845/By-Law-Article-Status-Updates>. The draft revisions currently available are the following:

Article	Title	Proposed Revisions	Last Update
ARTICLE 15	Unregistered Motor Vehicles	Draft 1	02/22/2023
ARTICLE 21	Grafton Common Historic District And Grafton Historic District Commission	Draft 2	02/09/2023
ARTICLE 22	Use Of Silver Lake	Draft 1	02/18/2023
ARTICLE 29	Use Of Lake Ripple	Draft 1	02/18/2023
ARTICLE 35	Affordable Housing Trust By-law	Draft 1	02/27/2023
ARTICLE 36	Stormwater Management By-law	Draft 1	02/23/2023
ARTICLE 37	Illicit Discharge By-law	Draft 1	02/27/2023
ARTICLE 38	Agricultural Commission	Draft 1	02/22/2023
ARTICLE 39	Limitation On Number Of Recreational Marijuana Retail Establishments	Draft 2	01/28/2023
ARTICLE 41	Capital Improvement Planning Committee	Draft 2	02/02/2023

The Committee will send you additional lists of updates as they become available.

3/6/23, 11:17 AM

Town of Grafton Mail - More Proposed Bylaw Updates Available from Bylaw Study Committee

You can send comments and suggestions by replying to this email or to bylawstudycommittee@graffon-ma.gov, or via the contact link on the web page.

Regards,
Bylaw Study Committee
David Robbins, Chair



The City of
WORCESTER
Zoning Board of Appeals

Russell Karlstad, Chair
Jordan Berg Powers, Vice Chair
Anthony Dell'Aera
George Cortes
Eric Torkornoo
Nathan Sabo, Alternate Member
Shannon Campaniello, Alternate Member

PUBLIC HEARING NOTICE
Zoning Board of Appeals
79 Sussex Lane (MBL 47-19H-00079)

Ana De la Torre and Rocco DeMalia applied to the Zoning Board seeking the following relief from the requirements of the Worcester Zoning Ordinance (ZB-2022-092):

- Special Permit:** To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A, 2)
- Variance:** For relief from the side yard setback requirement in an RS-7 Zone (Article IV, Section 4, Table 4.2)
- Variance:** For relief from the front yard setback requirement in an RS-7 Zone (Article IV, Section 4, Table 4.2)

Presently on the premises is a non-conforming single-family detached dwelling with accessory structures. The property is located within an RS-7 (Residence, Single-Family) zoning district. The applicant seeks to construct an addition and to conduct associated site work.

A public hearing on the application will be held on **Monday, March 13, 2023, at 5:30 PM** in the Levi Lincoln Chamber, 3rd floor of the City Hall, 455 Main Street, Worcester, MA. Meeting attendees will additionally have options to participate remotely by joining online using this link <https://cow.webex.com/meet/zoningboardofappealswebex> and/or calling **415-655-0001 (Access Code: 160 884 7670)**.

Application materials may be viewed online at: <http://www.worcesterma.gov/planning-regulatory/boards/zoning-board-of-appeals>, or at City Hall, 455 Main Street, Rm. 404, Worcester, MA from 8:30 AM to 5:00 PM, Mon-Fri.

For more information concerning this meeting please contact the Planning Division by email (preferred) at planning@worcesterma.gov or phone at (508) 799-1400 x 31440. Please send written comments, requests for reasonable accommodation, or requests for language interpretation 48 hours or more in advance of the meeting.

Worcester Zoning Board of Appeals c/o Division of Planning & Regulatory Services
planning@worcesterma.gov (preferred) or (508) 799-1400 x 31440

ADVERTISING DATES: February 27 & March 6, 2023



The City of
WORCESTER
Zoning Board of Appeals

Russell Karlstad, Chair
Jordan Berg Powers, Vice Chair
Anthony Dell'Aera
George Cortes
Eric Torkornoo
Nathan Sabo, Alternate Member
Shannon Campaniello, Alternate Member

PUBLIC HEARING NOTICE
Zoning Board of Appeals
112 Rodney Street (MBL 16-003-00002)

Grandx Property Management, LLC applied to the Zoning Board seeking the following relief from the requirements of the Worcester Zoning Ordinance (ZB-2023-007):

- Special Permit:** To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A, 2)
- Variance:** For relief from the minimum side-yard setback in an RG-5 Zone (Article IV, Section 4, Table 4.2)
- Variance:** For relief from the minimum lot area requirement in an RG-5 Zone (Article IV, Section 4, Table 4.2)
- Variance:** For relief from the minimum frontage requirement in an RG-5 Zone (Article IV, Section 4, Table 4.2)
- Variance:** For relief from the parking requirements in an RG-5 Zone (Article IV, Section 4, Table 4.4)

Presently on the premises of 112 Rodney Street is a non-conforming three-family dwelling. The property is located in an RG-5 (Residence, General) zoning district. The applicant seeks to install a driveway and conduct associated site improvements.

A public hearing on the application will be held on **Monday, March 13, 2023, at 5:30 PM** in the Levi Lincoln Chamber, 3rd floor of the City Hall, 455 Main Street, Worcester, MA. Meeting attendees will additionally have options to participate remotely by joining online using this link <https://cow.webex.com/meet/zoningboardofappealswebex> and/or calling **415-655-0001 (Access Code: 160 884 7670)**.

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Worcester Zoning Board of Appeals c/o Division of Planning & Regulatory Services
planning@worcesterma.gov (preferred) or (508) 799-1400 x 31440

ADVERTISING DATES: February 27 & March 6, 2023



The City of
WORCESTER
Zoning Board of Appeals

Russell Karlstad, Chair
Jordan Berg Powers, Vice Chair
Anthony Dell'Aera
George Cortes
Eric Torkornoo
Nathan Sabo, Alternate Member
Shannon Campaniello, Alternate Member

PUBLIC HEARING NOTICE
Zoning Board of Appeals
116 Rodney Street (MBL 16-003-00003)

Grandx Property Management, LLC applied to the Zoning Board seeking the following relief from the requirements of the Worcester Zoning Ordinance (ZB-2023-007):

- Special Permit:** To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A, 2)
- Variance:** For relief from the minimum frontage requirement in an RG-5 Zone (Article IV, Section 4, Table 4.2)
- Variance:** For relief from the minimum lot requirement in an RG-5 Zone (Article IV, Section 4, Table 4.2)
- Variance:** For relief from the minimum side-yard setback requirement in an RG-5 Zone (Article IV, Section 4, Table 4.2)
- Variance:** For relief from the minimum rear-yard setback requirement in an RG-5 Zone (Article IV, Section 4, Table 4.2)

Presently on the premises of 116 Rodney Street is a vacant property. The property is located in an RG-5 (Residence, General) zoning district. The applicant seeks to construct a two-family detached dwelling and conduct associated site improvements.

A public hearing on the application will be held on **Monday, March 13, 2023, at 5:30 PM** in the Levi Lincoln Chamber, 3rd floor of the City Hall, 455 Main Street, Worcester, MA. Meeting attendees will additionally have options to participate remotely by joining online using this link <https://cow.webex.com/meet/zoningboardofappealswebex> and/or calling **415-655-0001 (Access Code: 160 884 7670)**.

Application materials may be viewed online at: <http://www.worcesterma.gov/planning-regulatory/boards/zoning-board-of-appeals>, or at City Hall, 455 Main Street, Rm. 404, Worcester, MA from 8:30 AM to 5:00 PM, Mon-Fri.

For more information concerning this meeting please contact the Planning Division by email (preferred) at planning@worcesterma.gov or phone at (508) 799-1400 x 31440. Please send written comments, requests for reasonable accommodation, or requests for language interpretation 48 hours or more in advance of the meeting.

Worcester Zoning Board of Appeals c/o Division of Planning & Regulatory Services
planning@worcesterma.gov (preferred) or (508) 799-1400 x 31440

ADVERTISING DATES: February 27 & March 6, 2023



The City of
WORCESTER
Zoning Board of Appeals

Russell Karlstad, Chair
Jordan Berg Powers, Vice Chair
Anthony Dell'Aera
George Cortes
Eric Torkornoo
Nathan Sabo, Alternate Member
Shannon Campaniello, Alternate Member

PUBLIC HEARING NOTICE
Zoning Board of Appeals
143 Blithewood Avenue (MBL 34-29D-00048)

David Cole DiRoberto applied to the Zoning Board seeking the following relief from the requirements of the Worcester Zoning Ordinance (ZB-2023-015):

Parcel A:

Variance: For relief from the minimum frontage requirement in an RS-7 zone. (Article IV, Section 4, Table 4.2)

Presently on the premises is a single-family detached dwelling with associated site improvements. The property is located within an RS-7 (Residence, Single-Family) zoning district. The applicant seeks to divide the existing property into two lots, with the existing structure to remain on Parcel A in order to create a second buildable lot (Parcel B) to construct a single-family detached dwelling and to conduct associated site improvements.

A public hearing on the application will be held on **Monday, March 13, 2023, at 5:30 PM** in the Levi Lincoln Chamber, 3rd floor of the City Hall, 455 Main Street, Worcester, MA. Meeting attendees will additionally have options to participate remotely by joining online using this link <https://cow.webex.com/meet/zoningboardofappealswebex> and/or calling **415-655-0001 (Access Code: 160 884 7670)**.

Application materials may be viewed online at: <http://www.worcesterma.gov/planning-regulatory/boards/zoning-board-of-appeals>, or at City Hall, 455 Main Street, Rm. 404, Worcester, MA from 8:30 AM to 5:00 PM, Mon-Fri.

For more information concerning this meeting please contact the Planning Division by email (preferred) at planning@worcesterma.gov or phone at (508) 799-1400 x 31440. Please send written comments, requests for reasonable accommodation, or requests for language interpretation 48 hours or more in advance of the meeting.

Worcester Zoning Board of Appeals c/o Division of Planning & Regulatory Services
planning@worcesterma.gov (preferred) or (508) 799-1400 x 31440

ADVERTISING DATES: February 27, & March 6, 2023
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The City of
WORCESTER
Zoning Board of Appeals

Russell Karlstad, Chair
Jordan Berg Powers, Vice Chair
Anthony Dell'Aera
George Cortes
Eric Torkornoo
Nathan Sabo, Alternate Member
Shannon Campaniello, Alternate Member

PUBLIC HEARING NOTICE
Zoning Board of Appeals

67 & 69 Tacoma Street (MBL 52-004-00001 & a portion of 52-INX-003H)

The Worcester Housing Authority applied to the Zoning Board seeking the following relief from the requirements of the Worcester Zoning Ordinance (ZB-2023-018):

- Variance:** For relief from the minimum parking requirements for an office use (Article IV, Section 4, Table 4.4)
- Special Permit:** To allow a professional office use in an RG-5 zoning district (Article IV, Section 2, Table 4.1, Business Use #19)
- Special Permit:** To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A, 2)

Presently on 67 Tacoma Street is a single-story structure operated as a maintenance facility and on the subject portion of 69 Tacoma Street is a single-story office building and associated surface parking. The property is located within an RG-5 (Residence, General) zoning district and within the Water Resource Protection Overlay District (WRPOD (GP-3)). The applicant seeks to demolish the existing two non-residential structures and construct a two-story, ±30,916 GSF building (aka Economic Opportunity Center) to be used as WHA offices, a public library, and related community space, to construct a ±45 space surface parking lot, and to conduct associated site improvements.

A public hearing on the application will be held on **Monday, March 13, 2023, at 5:30 PM** in the Levi Lincoln Chamber, 3rd floor of the City Hall, 455 Main Street, Worcester, MA. Meeting attendees will additionally have options to participate remotely by joining online using this link <https://cow.webex.com/meet/zoningboardofappealswebex> and/or calling **415-655-0001 (Access Code: 160 884 7670)**.

Application materials may be viewed online at: <http://www.worcesterma.gov/planning-regulatory/boards/zoning-board-of-appeals>, or at City Hall, 455 Main Street, Rm. 404, Worcester, MA from 8:30 AM to 5:00 PM, Mon-Fri.

For more information concerning this meeting please contact the Planning Division by email (preferred) at planning@worcesterma.gov or phone at (508) 799-1400 x 31440. Please send written comments, requests for reasonable accommodation, or requests for language interpretation 48 hours or more in advance of the meeting.

Worcester Zoning Board of Appeals c/o Division of Planning & Regulatory Services
planning@worcesterma.gov (preferred) or (508) 799-1400 x 31440

ADVERTISING DATES: February 27, & March 6, 2023



The City of
WORCESTER
Zoning Board of Appeals

Russell Karlstad, Chair
Jordan Berg Powers, Vice Chair
Anthony Dell'Aera
George Cortes
Eric Torkornoo
Nathan Sabo, Alternate Member
Shannon Campaniello, Alternate Member

PUBLIC HEARING NOTICE
Zoning Board of Appeals
45 Westminster Street (MBL 09-002-00016)

Capstone Realty Trust applied to the Zoning Board seeking the following relief from the requirements of the Worcester Zoning Ordinance (ZB-2023-020):

Special Permit: To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A, 2)

Presently on the premises of 45 Westminster Street is a vacant lot. The property is located within the RG-5 (Residence, General) zoning district. The applicant seeks to construct a two-family dwelling with associated site improvements.

A public hearing on the application will be held on **Monday, March 13, 2023, at 5:30 PM** in the Levi Lincoln Chamber, 3rd floor of the City Hall, 455 Main Street, Worcester, MA. Meeting attendees will additionally have options to participate remotely by joining online using this link <https://cow.webex.com/meet/zoningboardofappealswebex> and/or calling **415-655-0001 (Access Code: 160 884 7670)**.

Application materials may be viewed online at: <http://www.worcesterma.gov/planning-regulatory/boards/zoning-board-of-appeals>, or at City Hall, 455 Main Street, Rm. 404, Worcester, MA from 8:30 AM to 5:00 PM, Mon-Fri.

For more information concerning this meeting please contact the Planning Division by email (preferred) at planning@worcesterma.gov or phone at (508) 799-1400 x 31440. Please send written comments, requests for reasonable accommodation, or requests for language interpretation 48 hours or more in advance of the meeting.

Worcester Zoning Board of Appeals c/o Division of Planning & Regulatory Services
planning@worcesterma.gov (preferred) or (508) 799-1400 x 31440

ADVERTISING DATES: February 27 & March 6, 2023



The City of
WORCESTER
Zoning Board of Appeals

Russell Karlstad, Chair
Jordan Berg Powers, Vice Chair
Anthony Dell'Aera
George Cortes
Eric Torkornoo
Nathan Sabo, Alternate Member
Shannon Campaniello, Alternate Member

PUBLIC HEARING NOTICE
Zoning Board of Appeals
47 Westminster Street (MBL 09-002-00013)

Capstone Realty Trust applied to the Zoning Board seeking the following relief from the requirements of the Worcester Zoning Ordinance (ZB-2023-019):

Special Permit: To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A, 2)

Presently on the premises of 47 Westminster Street is a vacant lot. The property is located within the RG-5 (Residence, General) zoning district. The applicant seeks to construct a two-family dwelling with associated site improvements.

A public hearing on the application will be held on **Monday, March 13, 2023, at 5:30 PM** in the Levi Lincoln Chamber, 3rd floor of the City Hall, 455 Main Street, Worcester, MA. Meeting attendees will additionally have options to participate remotely by joining online using this link <https://cow.webex.com/meet/zoningboardofappealswebex> and/or calling **415-655-0001 (Access Code: 160 884 7670)**.

Application materials may be viewed online at: <http://www.worcesterma.gov/planning-regulatory/boards/zoning-board-of-appeals>, or at City Hall, 455 Main Street, Rm. 404, Worcester, MA from 8:30 AM to 5:00 PM, Mon-Fri.

For more information concerning this meeting please contact the Planning Division by email (preferred) at planning@worcesterma.gov or phone at (508) 799-1400 x 31440. Please send written comments, requests for reasonable accommodation, or requests for language interpretation 48 hours or more in advance of the meeting.

Worcester Zoning Board of Appeals c/o Division of Planning & Regulatory Services
planning@worcesterma.gov (preferred) or (508) 799-1400 x 31440

ADVERTISING DATES: February 27, & March 6, 2023



The City of
WORCESTER
Zoning Board of Appeals

Russell Karlstad, Chair
Jordan Berg Powers, Vice Chair
Anthony Dell'Aera
George Cortes
Eric Torkornoo
Nathan Sabo, Alternate Member
Shannon Campaniello, Alternate Member

PUBLIC HEARING NOTICE
Zoning Board of Appeals
1059 Grafton Street (MBL 38-035-00002)

1059 Grafton Street, LLC applied to the Zoning Board of Appeals seeking the following from the requirements of the Worcester Zoning Ordinance (ZB-2023-016):

Special Permit: To allow a motor vehicle service, repair, garage, display use (Article IV, Section 2, Table 4.2, Business Use #16) in a BL-1.0 zone)

Presently on the premises is a vacant lot. The property is split zoned BL-1.0 (Business, Limited) and RL-7 (Residence, Limited) zoning district. The applicant seeks relief to construct and operate a car wash facility within the BL-1.0 zoned portion of the parcel.

A public hearing on the application will be held on **Monday, March 13, 2023, at 5:30 PM** in the Levi Lincoln Chamber, 3rd floor of the City Hall, 455 Main Street, Worcester, MA. Meeting attendees will additionally have options to participate remotely by joining online using this link <https://cow.webex.com/meet/zoningboardofappealswebex> and/or calling **415-655-0001 (Access Code: 160 884 7670)**.

Application materials may be viewed online at: <http://www.worcesterma.gov/planning-regulatory/boards/zoning-board-of-appeals>, or at City Hall, 455 Main Street, Rm. 404, Worcester, MA from 8:30 AM to 5:00 PM, Mon-Fri.

For more information concerning this meeting please contact the Planning Division by email (preferred) at planning@worcesterma.gov or phone at (508) 799-1400 x 31440. Please send written comments, requests for reasonable accommodation, or requests for language interpretation 48 hours or more in advance of the meeting.

Worcester Zoning Board of Appeals c/o Division of Planning & Regulatory Services
planning@worcesterma.gov (preferred) or (508) 799-1400 x 31440

ADVERTISING DATES: February 27, & March 6, 2023
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The City of **WORCESTER**

Zoning Board of Appeals

February 14, 2023

Russell Karlstad, Chair
Jordan Berg Powers, Vice Chair
Anthony Dell'Aera
Eric Torkornoo
George Cortes
Nathan Sabo, Alternate Member
Shannon Campaniello, Alternate Member

Re: Special Permit Amendment & Variance – Extension of Time Application

11 Sever Street (MBL 06-005-00039) ZB-2023-002

PLEASE TAKE NOTICE:

At a hybrid meeting held on January 5, 2023, the Zoning Board of Appeals voted 5-0 to **approve**, retaining all original **conditions of approval**, an **Extension of Time for the Variances** for a period of six (6) months (expiring June 16, 2023), and an **Amendment for the Special Permits** for a period of one (1) year (expiring December 16, 2023), for previously granted relief summarized as follows:

11 (aka Lot A) Sever Street (Existing):

- Special Permit:** To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A, 2)
- Special Permit:** To expand, alter, or change a privileged non-conforming use/structure (Article XVI, Section 4).
- Variance:** For relief of 26,727 SF from the minimum lot area dimensional requirement for a multi-family high-rise dwelling in an RG-5 Zone (Article IV, Section 4, Table 4.2)
- Variance:** For relief of 140 spaces from the minimum parking requirements for a residential use (Article IV, Section 7, Table 4.4)

11 (aka Lot B) Sever Street (Proposed):

- Special Permit:** To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A, 2)
- Variance:** For relief of 3,913 SF from the minimum lot area dimensional requirement for a multi-family high-rise dwelling in an RG-5 Zone (Article IV, Section 4, Table 4.2)
- Variance:** For relief of 3,913 SF from the minimum lot area dimensional requirement for a multi-family high-rise dwelling in an RG-5 Zone (Article IV, Section 4, Table 4.2)

Retaining all **conditions of approval** from the original decision, recorded at the Worcester Registry of Deeds Book 65007, Page 265.

The requested relief was submitted by Sever Street Development LLC c/o Community Builders Inc., petitioner, for property located at 11 Sever Street in a RG-5 (Residence, General) zoning district. Presently on the premises of 11 Sever Street (aka Lot A) is an existing non-confirming 10-story multi-family high-rise dwelling (with 98 units total), with associated parking areas on both proposed Lot A and Lot B. The applicant seeks a six month extension to divide the existing lot into two, with the existing 98-unit multi-family high-rise dwelling known as 11 Sever Street to remain on Lot A, and to construct a new 4-story multi-family high-rise dwelling (with 49 units) on proposed Lot B, and to re-configure and expand parking areas and make associated site improvements.

The final signed decision for the petition was filed at the office of the City Clerk on **February 14, 2023**.

Any appeal of this decision shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17 and a copy delivered to the office of the City Clerk within twenty (20) days of the date that the decision was filed in the office of the City Clerk.

Note to the applicant: Twenty calendar days following the date that the decision was filed with the City Clerk (see above), you may contact the City Clerk's office to obtain a certified copy of the decision to file with your deed at the Registry of Deeds (90 Front Street, Level 2). Your approved petition is not valid until it has been recorded.

City of Worcester Zoning Board of Appeals c/o Planning & Regulatory Services

City Hall, 455 Main Street, Room 404 (4th floor), Worcester, MA 01608

P | 508-799-1400 x 31440 **F** | 508-799-1406 **E** | planning@worcesterma.gov **W** | www.worcesterma.gov/planning-regulatory

Worcester Zoning Board of Appeals

c/o Division of Planning & Regulatory Services

planning@worcesterma.gov (preferred)

(508) 799-1400 x 31440



The City of **WORCESTER**

Zoning Board of Appeals

February 14, 2023

Re: Special Permit Application

1059 Grafton Street (MBL 38-035-00002) ZB-2022-068

PLEASE TAKE NOTICE:

At a hybrid meeting held on January 5, 2023, the Zoning Board of Appeals voted 5-0 to **grant Leave to Withdraw without Prejudice) the requested:**

Special Permit: To allow a motor vehicle service, repair, garage, display use (Article IV, Section 2, Table 4.2, Business Use #16) in a BL-1.0 zone.

The requested relief was submitted by Angelo Pizzarella, Trustee of Pizzarella Irrevocable Trust-2019, for property located at 1059 Grafton Street. The property is located in a BL-1.0 (Business, Limited) and RL-7 (Residence, Limited) zoning district. Presently on the premises is a vacant lot. The applicant seeks relief to construct and operate a car wash facility on the BL-1.0 portion of the parcel.

The final signed decision for the petition was filed at the office of the City Clerk on **February 14, 2023**.

Any appeal of this decision shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17 and a copy delivered to the office of the City Clerk within twenty (20) days of the date that the decision was filed in the office of the City Clerk.

Note to the applicant: Twenty calendar days following the date that the decision was filed with the City Clerk (see above), you may contact the City Clerk's office to obtain a certified copy of the decision to file with your deed at the Registry of Deeds (90 Front Street, Level 2). Your approved petition is not valid until it has been recorded.

Worcester Zoning Board of Appeals

c/o Division of Planning & Regulatory Services

planning@worcesterma.gov (preferred)

(508) 799-1400 x 31440

Russell Karlstad, Chair
Jordan Berg Powers, Vice Chair
Anthony Dell'Aera
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George Cortes
Nathan Sabo, Alternate Member
Shannon Campaniello, Alternate Member



The City of **WORCESTER**

Zoning Board of Appeals

Russell Karlstad, Chair
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Nathan Sabo, Alternate Member
Shannon Campaniello, Alternate Member

February 14, 2023

Re: Special Permit Application

111 Austin Street (MBL 03-016-00022) (ZB-2022-033)

PLEASE TAKE NOTICE:

At a hybrid meeting held on January 5, 2023, the Zoning Board of Appeals voted 5-0 to **approve** the following:

Special Permit: To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A, 2)

With the following conditions of approval:

1. Prior to the issuance of a Building Permit provide one (1) to-scale, stamped/sealed original of a final revised site plan-set and architectural plans, and a PDF file of the same, to the Division of Planning & Regulatory Services reflecting:
 - a. A solid style fence shall be installed at the western border of the parking lot to prevent headlight glare into the abutting property to the west.
 - b. Incorporate a covered bike-rack.
 - c. Reflect closure of the existing curb-cuts and installation of a new concrete sidewalk with granite curbing along the property's frontage.
 - d. Reflect that the flat roof shall be provided with a white or reflective treatment.
 - e. Provide a minimum of two additional 3" caliper shade tree in the front yard setback.
 - f. 100% of roof-runoff shall be detained on site in theoretical 2-, 10-, & 100-year storm events, using NOAA Atlas 14 precipitation amounts.
 - g. Submit a plan describing parking management on site.
2. Snow storage shall not be located within any required parking spaces or landscaped buffers and shall not impede visibility. Once designated snow storage areas exceed capacity, snow shall be removed from the site.
3. Provided that the project is constructed in substantial accordance with the findings of fact and all final revised plans on file with the City of Worcester and in accordance with all applicable governmental codes.

The requested relief was submitted by Daniel Yarnie, petitioner, for property located at 111 Austin Street in a RG-5 (Residence, General) zoning district. Presently on the premises is a vacant lot. The applicant seeks to construct a multi-family low-rise dwelling (total of ±11 units) and to conduct associated site improvements.

The final signed decision for the petition was filed at the office of the City Clerk on **February 14, 2023**.

Any appeal of this decision shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17 and a copy delivered to the office of the City Clerk within twenty (20) days of the date that the decision was filed in the office of the City Clerk.

Note to the applicant: Twenty calendar days following the date that the decision was filed with the City Clerk (see above), you may contact the City Clerk's office to obtain a certified copy of the decision to file with your deed at the Registry of Deeds (90 Front Street, Level 2). Your approved petition is not valid until it has been recorded.

Worcester Zoning Board of Appeals

c/o Division of Planning & Regulatory Services

planning@worcesterma.gov (preferred)

(508) 799-1400 x 31440



The City of **WORCESTER**

Zoning Board of Appeals

Russell Karlstad, Chair
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Anthony Dell'Aera
Eric Torkonoo
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Nathan Sabo, Alternate Member
Shannon Campaniello, Alternate Member

February 14, 2023

Re: Variance Application

300 Coburn Avenue (MBL 41-016-27+28) (ZB-2022-094)

PLEASE TAKE NOTICE:

At a hybrid meeting held on January 5, 2023, the Zoning Board of Appeals voted 5-0 to **approve** the following:

Variance: For relief of **11' (55%)** from the minimum 20' front-yard setback dimensional requirement for a single-family detached dwelling in an RL-7 zone (Article IV, Section 4, Table 4.2)

Variance: For relief of **11' (55%)** from the minimum 20' rear-yard setback dimensional requirement for a single-family detached dwelling in an RL-7 zone (Article IV, Section 4, Table 4.2)

With the following **conditions of approval:**

Prior to the issuance of a Building Permit:

1. Provide one (1) to-scale, stamped/sealed original of a final revised site plan-set and architectural plans, and a PDF file of the same, to the Division of Planning & Regulatory Services reflecting the following:
 - a. Reflect all proposed surface treatments or existing surface treatments to remain.
 - b. Reflect structures (fencing/shed) to be removed or re-located.
 - c. Reflect the location of the proposed driveway with a maximum curb cut and width of 22 FT, demonstrating compliance with Note 5 to Table 4.4 of the Zoning Ordinance.
 - d. Reflect the location of a minimum of two (2), minimum 3" caliper shade trees of a non-Asian Longhorn Beetle susceptible species within the front and/or exterior side-yards.
 - e. Reconcile the architectural and site plans for consistency.
 - f. Demonstrate compliance with the height dimensional requirements of the Zoning Ordinance.
 - g. Reflect that 100% of the proposed structure's roof runoff shall be directed to a sub-surface infiltration system.

Perpetual:

2. Vehicles shall not park in the driveway in order to ensure adequate access to and not restrict other's ability to use Touraine Street (including the sidewalk).
3. The relief granted is specific to the structures use as a single-family home.
4. Provided that the project is constructed in substantial accordance with the findings of fact and all final revised plans on file with the City of Worcester and in accordance with all applicable governmental codes.

The requested relief was submitted by Alex Abdow, petitioner, for property located at 300 Coburn Avenue in a RL-7 (Residence, Limited zoning district. Presently on the premises is a vacant lot. The applicant seeks to construct a single-family dwelling and to conduct associated site improvements.

The final signed decision for the petition was filed at the office of the City Clerk on **February 14, 2023**.

City of Worcester Zoning Board of Appeals c/o Planning & Regulatory Services

City Hall, 455 Main Street, Room 404 (4th floor), Worcester, MA 01608

P | 508-799-1400 x 31440 **F** | 508-799-1406 **E** | planning@worcesterma.gov **W** | www.worcesterma.gov/planning-regulatory

Any appeal of this decision shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17 and a copy delivered to the office of the City Clerk within twenty (20) days of the date that the decision was filed in the office of the City Clerk.

Note to the applicant: Twenty calendar days following the date that the decision was filed with the City Clerk (see above), you may contact the City Clerk's office to obtain a certified copy of the decision to file with your deed at the Registry of Deeds (90 Front Street, Level 2). Your approved petition is not valid until it has been recorded.

Worcester Zoning Board of Appeals

c/o Division of Planning & Regulatory Services

planning@worcesterma.gov (preferred)

(508) 799-1400 x 31440



The City of **WORCESTER**

Zoning Board of Appeals

Russell Karlstad, Chair
Jordan Berg Powers, Vice Chair
Anthony Dell'Aera
Eric Torkonoo
George Cortes
Nathan Sabo, Alternate Member
Shannon Campaniello, Alternate Member

January 31, 2023

Re: Special Permit & Variance Application

1 & 7 Brattle Street (MBL 49-010-00003; 0004A) (ZB-2022-062)

PLEASE TAKE NOTICE:

At a hybrid meeting held on January 5, 2023, the Zoning Board of Appeals voted 5-0 to **approve** the following:

1 Brattle Street

Special Permit: To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A, 2)

Variance: For relief of 10 spaces from the 38-space minimum off-street parking requirement (Article IV, Section 7, Table 4.4)

7 Brattle Street

Special Permit: To modify parking, loading requirements, dimensional requirements, layout, and/or the number of required spaces and/or landscaping requirements (Article IV, Section 7, A, 2)

With the following conditions of approval:

1. Prior to the issuance of a Building Permit provide one (1) to-scale, stamped/sealed original of a final revised site plan-set and architectural plans, and a PDF file of the same, to the Division of Planning & Regulatory Services showing the following changes:
 - a. Revise parking requirements to reflect 300 SF office space.
 - b. Demarcate any outdoor seating locations in compliance with the requirements of the Zoning Ordinance.
 - c. Provide a copy of the lease with the Worcester Providence Railroad Company property to the south for use of the existing eight (8) parking spaces for the duration of construction.
 - d. Provided the applicant submit a plan describing parking management on site
 - e. Designate a minimum of eight (8) spaces to be resident only parking spaces.
 - f. Reflect a solid-style stockade fencing.
 - g. The units will be limited to a maximum of two (2) bedrooms.
2. Provided that the project is constructed in substantial accordance with the findings of fact and all final revised plans, calculations, and operation and maintenance plans and schedules, including temporary phasing and parking management plans, on file with the City of Worcester and in accordance with all applicable governmental codes.

The requested relief was submitted by Konstantinos Angelis and Fotini Angelis, petitioner, for property located at 1 & 7 Brattle Street in a BL-1.0 (Business, Limited) zoning district. Presently on the premises at 1 Brattle Street is a three-story, mixed-use structure with the Brattle Market operating on the first floor and four dwelling units on the upper floors and associated surface parking (± 15 spaces). On the premises at 7 Brattle Street is a single-family detached dwelling. The applicant seeks to demolish the structure on 1 Brattle Street, construct a new two-story, mixed-use structure with $\pm 6,330$ SF of retail/food-service use on the first floor, 4 dwelling units on the second floor, and ± 28 surface parking spaces and to conduct associated site work.

The final signed decision for the petition was filed at the office of the City Clerk on **January 31, 2023**.

Any appeal of this decision shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17 and a copy delivered to the office of the City Clerk within twenty (20) days of the date that the decision was filed in the office of the City Clerk.

Note to the applicant: Twenty calendar days following the date that the decision was filed with the City Clerk (see above), you may contact the City Clerk's office to obtain a certified copy of the decision to file with your deed at the Registry of Deeds (90 Front Street, Level 2). Your approved petition is not valid until it has been recorded.

Worcester Zoning Board of Appeals

c/o Division of Planning & Regulatory Services

planning@worcesterma.gov (preferred)

(508) 799-1400 x 31440



The City of
WORCESTER

Division of Planning & Regulatory Services

Division of Planning & Regulatory Services
Michelle M. Smith, Assistant Chief Development Officer
City Hall, 455 Main Street, Worcester, MA 01608
P | 508-799-1400 F | 508-799-1406
planning@worcesterma.gov

PUBLIC MEETING NOTICE
Worcester Planning Board

67 & portion of 69 Tacoma Street (MBL 52-004-00001 & 52-INX-0003H)

Worcester Housing Authority has applied to the Planning Board seeking a Definitive Site Plan approval under the requirements of the City of Worcester Zoning Ordinance. Presently on the premises are two vacant buildings and associated parking and site improvements. The properties are within the RG-5 (Residence, General) zoning district and the Water Resources Protection Overlay (WR(GP-3)). The applicant seeks to demolish the existing buildings and construct a +/- 31,000 GFA, two-story multi-use structure with +/-45 parking spaces and associated site improvements, to be used for offices, a public library, and a community space (PB-2023-012).

A public meeting on the application will be held on **Wednesday, March 15, 2023 at 5:30PM in the Levi Lincoln Chamber**, 3rd floor of the City Hall, 455 Main Street, Worcester, MA. Meeting attendees will additionally have options to participate remotely by joining online using this link <https://cow.webex.com/meet/planningboardwebex> and/or calling **415-655-0001 (Access Code: 160 171 4991)**.

Application materials may be viewed online at: <http://www.worcesterma.gov/planning-regulatory/boards/planning-board>, or at City Hall, 455 Main Street, Rm. 404, Worcester, MA from 8:30 AM to 5:00 PM, Mon-Fri.

For more information concerning this meeting please contact the Planning Division by email (preferred) at planning@worcesterma.gov or phone at (508) 799-1400 x 31440. Please send written comments, requests for reasonable accommodation, or requests for language interpretation 48 hours or more in advance of the meeting.

Worcester Planning Board

c/o Division of Planning & Regulatory Services
planning@worcesterma.gov (preferred)
(508) 799-1400 x 31440

Advertising Dates: March 1, 2023 & March 8, 2023

Office of the City of Worcester Planning Board c/o Planning & Regulatory Services Division

City Hall, 455 Main Street, Room 404 (4th floor), Worcester, MA 01608

P | (508) 799-1400 x31440 F | (508) 799-1406 E | planning@worcesterma.gov W | www.worcesterma.gov/planning-regulatory



**PUBLIC MEETING NOTICE
Worcester Planning Board
111 Austin Street (MBL 03-016-00022)**

Daniel Yarnie has applied to the Planning Board seeking a Definitive Site Plan approval under the requirements of the City of Worcester Zoning Ordinance. Presently on the premises is a vacant lot. The property is located within an RG-5 (Residence, General) zoning district. The applicant seeks to construct a multi-family low-rise dwelling (total of ±11 units) with +/-20 parking spaces and associated site improvements on slopes greater than 15% (PB-2023-014).

A public meeting on the application will be held on **Wednesday, March 15, 2023 at 5:30PM in the Levi Lincoln Chamber**, 3rd floor of the City Hall, 455 Main Street, Worcester, MA. Meeting attendees will additionally have options to participate remotely by joining online using this link <https://cow.webex.com/meet/planningboardwebex> and/or calling **415-655-0001 (Access Code: 160 171 4991)**.

Application materials may be viewed online at: <http://www.worcesterma.gov/planning-regulatory/boards/planning-board>, or at City Hall, 455 Main Street, Rm. 404, Worcester, MA from 8:30 AM to 5:00 PM, Mon-Fri.

For more information concerning this meeting please contact the Planning Division by email (preferred) at planning@worcesterma.gov or phone at (508) 799-1400 x 31440. Please send written comments, requests for reasonable accommodation, or requests for language interpretation 48 hours or more in advance of the meeting.

Worcester Planning Board

c/o Division of Planning & Regulatory Services
planning@worcesterma.gov (preferred)
(508) 799-1400 x 31440

Advertising Dates: March 1, 2023 & March 8, 2023
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PUBLIC MEETING & HEARING NOTICE
Worcester Planning Board
1103 Main Street (MBL 08-030-00002)

New York Capital Investment Group, LLC applied to the Planning Board seeking **(1)** Definitive Site Plan Approval and **(2)** Special Permit in the CCOD for a drive-through use (Article IX, Section 5.C.) under the requirements of the City of Worcester Zoning Ordinance. The property is located within an BG-2.0 (Business, General) zoning district and within the Commercial Corridor Overlay District (CCOD-E). Presently on the premises is a non-conforming commercial structure that includes retail and motor vehicle service and sales uses. The applicant seeks to demolish the existing structure and construct a car wash with associated site improvements (PB-2023-018).

A public meeting on the application will be held on **Wednesday, March 15, 2023 at 5:30PM in the Levi Lincoln Chamber**, 3rd floor of the City Hall, 455 Main Street, Worcester, MA. Meeting attendees will additionally have options to participate remotely by joining online using this link <https://cow.webex.com/meet/planningboardwebex> and/or calling **415-655-0001 (Access Code: 160 171 4991)**.

Application materials may be viewed online at: <http://www.worcesterma.gov/planning-regulatory/boards/planning-board>, or at City Hall, 455 Main Street, Rm. 404, Worcester, MA from 8:30 AM to 5:00 PM, Mon-Fri.

For more information concerning this meeting please contact the Planning Division by email (preferred) at planning@worcesterma.gov or phone at (508) 799-1400 x 31440. Please send written comments, requests for reasonable accommodation, or requests for language interpretation 48 hours or more in advance of the meeting.

Worcester Planning Board

c/o Division of Planning & Regulatory Services
planning@worcesterma.gov (preferred)
(508) 799-1400 x 31440

Advertising Dates: March 1, 2023 & March 8, 2023
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*William Talcott, Chair
Scott Paul, Vice-Chair
Robert S. Largess, Jr.
Walter A. Baker
Michael Gagan
Erica McCullum, Associate*



*Sutton Town Hall
4 Uxbridge Road
Sutton, Massachusetts 01590
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*Jennifer S. Hager
Planning & Economic Development Director*

TOWN OF SUTTON

~~PLANNING BOARD & DEPARTMENT~~

Date Application Filed: February 6, 2023

Action Requested: Special Permit – Retreat Lot

Applicant/Owner: Joseph Danko, Jr.

Location: 141 Burbank Road

The Planning Board opened a public hearing on the application on February 27, 2023 pursuant to notice thereof, published in the Millbury/Sutton Chronicle and mailed to all parties in interest, all abutting Towns, and posted at the Sutton Town Hall. The Board voted to **GRANT** the special permit with conditions per the public record to create a retreat lot with 5.83 +/- acres and 155.45' of frontage at the above location.

The decision was filed with the Town Clerk on **March 1, 2023**.

If you wish to view the full text of the approvals, you can do so in the Office of the Town Clerk or the Planning Office.

*William Talcott, Chair
Scott Paul, Vice-Chair
Robert S. Largess, Jr.
Walter A. Baker
Michael Gagan
Erica McCullum, Associate*

*Jennifer S. Hager
Planning & Economic Development Director*



*Sutton Town Hall
4 Uxbridge Road
Sutton, Massachusetts 01590
Telephone: (508) 865-8729
Fax: (508) 865-8721*

TOWN OF SUTTON

PLANNING BOARD & DEPARTMENT

Date Application Filed: February 6, 2023

Action Requested: Special Permit – Accessory Apartment

Applicant/Owner: Lindsey & Joel Welcome

Location: 10 Mark's Way

The Planning Board opened a public hearing on the application on February 27, 2023 pursuant to notice thereof, published in the Millbury/Sutton Chronicle and mailed to all parties in interest, all abutting Towns, and posted at the Sutton Town Hall. The Board voted to **GRANT** the special permit with conditions per the public record for an attached 944 +- s.f. accessory apartment in the existing home at the above location.

The decision was filed with the Town Clerk on **March 1, 2023**.

If you wish to view the full text of the approvals, you can do so in the Office of the Town Clerk or the Planning Office.

TOWN OF MILLBURY, MASSACHUSETTS
The Planning Board

NOTICE OF DECISION
OF MODIFICATION TO ADAPTIVE REUSE SPECIAL PERMIT,
MULTI-FAMILY SPECIAL PERMIT, SITE PLAN APPROVAL and
POST-CONSTRUCTION STORMWATER MANAGEMENT PERMIT

SINGLETARY ARMS

RECEIVED
TOWN CLERK
2023 FEB 14 PM 1:50
MILLBURY, MASS.

Applicant/Owner:
Douglas Backman
115 West Main Street
Millbury, MA 01527

Date: February 13, 2023

Premises Affected in Millbury, MA:

115 West Main Street, Assessor's Map 70, Parcel 99, 119 West Main Street, Assessor's Map 70, Parcel 118,
3 Burbank Street, Assessor's Map 70, Parcel 100, 4 Burbank Street, Assessor's Map 70, Parcel 117

It is hereby certified by the Planning Board of the Town of Millbury that a public hearing to consider an extension of the deadline for substantial use or initiation of construction for an Adaptive Reuse Permit, Multi-family Special Permit, Site Plan Approval, and Stormwater Management Permit for Singletary Arms was held and subsequently closed on February 13, 2023. The public hearing was broadcast live on Millbury Public Access Television, live-streamed on the Millbury Public Access Television website, and live-streamed via Zoom video and audio conferencing, allowing members of the public to follow the proceedings of the Planning Board while they were occurring and allowing members of the public to participate in the hearing through real-time active participation, in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 20, dated March 12, 2020.

Following the hearing, the Board voted to GRANT a modification of the *Notice of Decision on Adaptive Reuse Permit, Multi-family Special Permit, Site Plan Approval, and Stormwater Management Permit* dated March 8, 2021, recorded in Worcester Deeds Book 64870, Page 323. The Notice of Decision concerns a plan entitled "Singletary Arms Site Improvement Plans, Millbury, Massachusetts", prepared by Branson Surveying & Engineering, LLC, 231 Rockpoint Drive, Walnut Shade, Missouri, dated August 6, 2020 and last revised March 1, 2021.

The Certificate of Approval is modified as follows:

Deadline for substantial use or initiation of construction is extended to March 8, 2025.

Except as modified herein, the terms of the *Notice of Decision* shall continue in full force and effect.

The decision of the Planning Board was filed with the Town Clerk on February 13, 2023.

IMPORTANT: Any appeal from the decision of the Planning Board can be made only to the Court and must be made pursuant to Section 17, Chapter 40A (G.L.) as amended, and must be filed within twenty (20) days after the date of filing of the decision with the Town Clerk.

Members present: Richard Gosselin yes Francis DeSimone No Terry Burke Dotson No
Paul Piktelis yes Bruce DeVault yes

MILLBURY PLANNING BOARD

Bruce DeVault, Clerk



TOWN OF UPTON, MASSACHUSETTS

Code Enforcement Department
Zoning Board of Appeals

RECEIVED

By dsmith at 11:38 am, Feb 22, 2023

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN in accordance with the Bylaws of the Town of Upton that the Upton Zoning Board of Appeals will hold the following public hearings on Wed., March 15, 2023 at 6:30 pm – In-person (room G07) & Remote Meeting:

-Deana Reardon requests a special permit to approve an existing accessory apartment at 51 Glen Ave which was added to the property in August of 1996. Applicant is executor of the estate and is seeking a special permit for the sale of the home.

Applications are on file in the Land Use & Inspectional Services office and will be available for review on the ZBA website: <https://www.uptonma.gov/zoning-board-appeals>.

Stedman Briggs, Chair
Zoning Board of Appeals

Note: Information for remote meeting participation will be available on the agenda to be posted on the Upton website (www.uptonma.gov) prior to the meeting.



TOWN OF UPTON, MASSACHUSETTS

Land Use & Inspectional Services Department Zoning Board of Appeals

SPECIAL PERMIT FINDINGS OF FACT AND DECISION

APPROVED

14 NORTH MAIN STREET (ASSESSOR MAP 201 AND LOT 45)

SITE AREA

The property is located at 14 N Main Street, Upton, MA 01568, on a nonconforming lot with regard to lot area, which contains approximately 0.67 acres and over approximately 141 ft of frontage, on land which contains a single family detached dwelling and associated improvements.

PROCEDURAL BACKGROUND

The Zoning Board of Appeals held a hearing on February 15, 2023 at 6:30 PM at 1 Main Street, Upton, MA room G07 and held remotely via Microsoft Teams on the appeal of Tracy Kennedy, as petitioner and owner, regarding property located 14 N Main Street.

It was ordered by the Board that notices of a public hearing, to be held on February 15, 2023 be sent to the individuals listed on the Town of Upton Certified Abutter's list for the property.

On January 31, 2023 and February 7, 2023, notice of the hearing was duly advertised in the Worcester Telegram & Gazette.

On February 15, 2023 the hearing was called to order by Stedman Briggs, Chair. Present for the hearing were Stedman Briggs, William Andrews and Eric Reustle, and Robert Humes, Alternate Member.

The voting members were designated by Chair Stedman Briggs as Stedman Briggs, William Andrews and Eric Reustle.

FINDINGS

The Upton Zoning Board of Appeals having conducted a public hearing and reviewed all the submitted evidence finds that:

1. Tracy Kennedy, whose address is 14 N Main Street, Upton, MA 01568 is the petitioner of certain land situated at 14 N Main Street in the Town of Upton and more particularly described in a deed recorded with the Worcester District Registry of Deeds Book 67914 Page 311.
2. Said parcel is situated in a district classified under the Town of Upton Zoning Bylaw as Single Residential A (SRA);
3. Presently located on the premises is a single family detached dwelling with associated improvements;
4. The applicant intends to construct an addition onto the existing structure for additional living space to include an accessory apartment;
5. The proposed addition is 998.48 SF dedicated to the Accessory Apartment;
6. The proposed addition and carport will conform to the dimensional requirements for setbacks and height within the SFA Zoning District;
7. The proposed additional and accessory structure will be attached to the existing dwelling with interior access connecting the structure;
8. The applicant also proposed additional alterations including extension of the existing driveway and construction of a carport which will connect to both the existing structure and the addition, neither of which require Special Permit or other relief;
9. The petitioner seeks relief through a Special Permit Section 300-7.6 of the Upton Zoning Bylaws;
10. The Zoning Board of Appeals finds the following Special Permit criteria have been met pursuant to Section 300-9.3 and thus no adverse effects or detrimental impacts will be realized with regard to the following:
 - a. Social, economic, or community needs which are served by the proposal;
 - b. Traffic flow and safety, including parking and loading;
 - c. Adequacy of utilities and other public services;
 - d. Neighborhood character and social structures;
 - e. Impacts on the cultural, historical, and natural environments; and
 - f. Potential fiscal impact, including impact on Town services, tax base, and employment.

Findings Pursuant to MGL Chapter 40A Section 16:

No appeal, application or petition which has been unfavorably and finally acted upon by the special permit granting or permit granting authority shall be acted favorably upon within two years after the date of final unfavorable action unless said special permit granting authority or permit granting authority finds, by a unanimous vote of a board of three members or by a vote of four members of a board of five members or two-thirds vote of a board of more than five members, specific and material changes in the conditions upon which the previous unfavorable action was based, and describes such changes in the record of its proceedings,

and unless all but one of the members of the planning board consents thereto and after notice is given to parties in interest of the time and place of the proceedings when the question of such consent will be considered.

11. The Applicant submitted an original applicant for the creation of an attach accessory apartment pursuant to Section 300-7.6 for consideration of the Zoning Board of Appeals dated December 24, 2022;
12. The original application materials showed that that the accessory apartment would exceed the maximum are allowed per Section 300-7.6(3) of 1,000 SF;
13. The ZBA held a hearing on January 18, 2023 a submitted a record of its proceedings to the town Clerk showing a vote of 2-1 in favor of the application;
14. Per MGL Chapter 40A Section 9, a unanimous vote of a board of 3 members is required to approve Special Permits and the application was denied;
15. The applicant has submitted a new application to the ZBA showing a compliance with the Town of Upton bylaws pursuant to Accessory Apartments with a dedicated area of approximately 998 SF for the proposed accessory apartment;
16. The Board finds that the reduction in area dedicated to the accessory apartment qualifies as a material change in the application pursuant to MGL 40A Section 16 and accepts the application for consideration by the board;

Special Permit - Findings of Fact:

With regard to Section 300-7.6 of the Upton Zoning Bylaw the Board finds the following:

17. Occupancy will be limited to the owner of the property and no more than four family members related to the homeowner by blood, adoption or marriage; or au pair providers; or health care providers. An affidavit from the owner shall be provided, stating that occupation of the accessory apartment will be limited to family members; au pair providers; or health care providers. An affidavit shall be provided stating that one of the two dwelling units shall be occupied by the owner of the property. For the purpose of this subsection, the "owner" shall be one or more individuals who constitute a family, who hold title to the dwelling, and for whom the dwelling is the primary residence for voting purposes.
18. A plot plan of the existing dwelling unit and proposed accessory apartment was submitted to the SPGA and on record showing the location of the building on the lot, the proposed accessory apartment, location of any septic system and the required parking.
19. Physical size. The accessory apartment does not exceed 1,000 square feet in floor space with no more than two bedrooms and shall be located in or attached to the principal residential structure on the lot.

20. Number of units. No more than one accessory apartment may be established on a lot.
21. Services. The Board of Health may issue a recommendation as to the suitability of the disposal of sewage, waste and drainage generated by the occupancy of the accessory apartment. In addition, no special permit shall be granted without a condition that the accessory apartment shall conform to the provisions of Title V of the Sanitary Code, 310 CMR 15.00.
22. Building exterior. The external appearance of the building in which the accessory apartment is to be located shall not be significantly altered from the appearance of a single-family building. All stairways to upper floors shall be enclosed within the exterior wall of the building. There shall be no enlargement or extension of the building except for the accessory apartment itself and minimal additions necessary to comply with building, safety or health codes, handicap accessibility (if needed), or the enclosure of an entryway or stairway. Any new exterior entrance shall be located on the side or rear of the building.
23. Off-street parking. There shall be at least two off-street parking spaces for the principal dwelling unit and at least one off-street parking space for the accessory apartment dwelling unit. No parking spaces shall be located within the boundary of a street right-of-way. In no case shall parking spaces which are more than two spaces deep be considered in computing the required number of parking spaces. Said parking space(s) shall be constructed of materials consistent with the existing driveway and shall have vehicular access to the driveway.

DECISION

At a meeting of the Board on February 15, 2023 and on motion duly made and seconded, it was voted 3-0 by Board members Stedman Briggs, William Andrews, and Eric Reustle, to approve following requested relief:

Special Permit – For an accessory apartment attached to a Single Family Detached Dwelling pursuant to Section 300-7.6 of the Upton Zoning Bylaw;

Upon a separate motion, the Board voted 3-0 to allow re-application of the Special permit with findings pursuant to MGL Chapter 40A Section 16 herein;

The Board did not vote to add any conditions to the approval.

A unanimous vote is required to pass a motion on Special Permits for a three (3) member Zoning Board of Appeals pursuant to M.G.L. c. 40A §9, therefore the motion passes and the application is approved.

Appeals of this decision shall be made pursuant to M.G.L. c. 40A §17 and shall be filed within twenty days after the filing of this decision in the office of the Town Clerk.

It was **ORDERED** by the Board that persons notified of the hearing be notified of the foregoing decision.

ADJOURNED


STEDMAN BRIGGS

WILLIAM ANDREWS

ERIC REUSTLE

DATE 2-22-23

DATE _____

DATE _____



TOWN OF MILLBURY

DEPARTMENT OF PLANNING & DEVELOPMENT

MUNICIPAL OFFICE BUILDING • 127 ELM STREET • MILLBURY, MA 01527-2632 • TEL. 508 / 865-0438 • FAX. 508 / 865-0857

RECEIVED
TOWN CLERK
2023 FEB 28 PM 12:14
MILLBURY, MASS.

MILLBURY PLANNING BOARD PUBLIC HEARING NOTICE

In accordance with the provisions of Title 13, Chapter 13.15 of the Millbury Municipal Code, the Millbury Planning Board will hold a public hearing on Monday, March 27, 2023 at 7:15 p.m., at the Municipal Office Building, 127 Elm Street, Millbury, MA, on the application of Jacob Stanton, property located at 86 South Oxford Road, Millbury, MA for a Post-construction Stormwater Management Permit under Title 13, Chapter 13.15 of the Millbury Municipal Code. Applicant proposes to construct a single family home that will result in soil disturbance of 5,000 square feet or more.

Application is available for review in the Planning Department via appointment during normal business hours. Anyone wishing to be heard on this matter should appear at the time and place specified above.

**Richard Gosselin
Chairman**

Published in the Millbury Sutton Chronicle on March 2, 2023 and March 9, 2023.



TOWN OF SHREWSBURY
Richard D. Carney Municipal Office Building
100 Maple Avenue
Shrewsbury, Massachusetts 01545-5338

RECEIVED
TOWN CLERK'S OFFICE
2023 MAR -1 PM 1:46
SHREWSBURY, MASS

Decision of the Zoning Board
REGARDING APPLICATION FOR VARIANCE FOR PROPERTY AT
27 BAY VIEW DRIVE

George Kiritsy, Esq.
294 West Boylston Street, West Boylston 01583

Procedural History

- 1) An Application Form of Appeal was filed in the Office of the Shrewsbury Town Clerk on December 29, 2022.
- 2) The applicant is George Kiritsy, Esq. 294 West Boylston Street, West Boylston 01583.
- 3) The owner is Hugo and Mirian Lima, 27 Bay View Drive, Shrewsbury MA 01545.
- 4) The subject property is located on Shrewsbury Assessor's Tax Plate 57, Plot 025000.
- 5) The subject property is located within the Town's Residence B-2 zoning district.
- 6) A public hearing was held on February 27, 2023. A copy of the minutes for the hearing is available in the office of the Building Inspector.
- 7) The application was accompanied by the following documents:
 - a. Plans entitled "Proposed Site Plan" on one (1) sheet, dated October 25, 2022 prepared by DC Engineering & Survey Inc., 32 Cranberry Meadow Road, Charlton MA 01507.
 - b. Decision from the Zoning Board of Appeals to grant a Special Permit for property at 27 Bay View Drive, dated February 2, 2022.

Findings

1. The appellant proposes to construct a nonconforming front porch on a single family dwelling upon property at 27 Bay View Drive, in the Residence B-2 zoning district.
2. The existing front yard setback is thirty and four tenths (30.4) feet. The proposed front yard setback is twenty five and nine tenths feet (25.9) feet.
3. The minimum front yard setback is thirty (30) feet in the Residence B-2 zoning district.
4. The appellant claims the unique conditions of the site, including topography and shape, creates a hardship on the property. The appellant seeks relief through Variance.
5. The Zoning Board of Appeals was mindful of the statements and comments of the applicant, the abutters, and the general public.
6. The Board found that the construction of a nonconforming front porch on a single family dwelling upon property at 27 Bay View Dr, in the Residence B-2 zoning district, as shown on plan entitled "Proposed Site Plan" on one (1) sheet, dated October 25, 2022 prepared by DC Engineering & Survey

Inc., 32 Cranberry Meadow Road, Charlton MA 01507, does not depart or derogate from either the purpose or the intent of the Bylaw, and that relief may be granted without substantial detriment to the public good.

7. The Board also found that due to "circumstances relating to the soil conditions, shape, or topography of the land of the subject property, or the structure," specifically the shape and topography of the lot, that strict compliance with the requirements of the Zoning Bylaw would be an undue hardship upon the appellant.

Decision

The Shrewsbury Zoning Board of Appeals voted on February 27, 2023 to GRANT a Variance from Section VII – Table II of the Shrewsbury Zoning to construct a nonconforming front porch on a single family dwelling upon property at 27 Bay View Dr, in the Residence B-2 zoning district, as shown on the abovementioned plans.

The motion to approve the Variance for the Shrewsbury Zoning Bylaw was entered by a vote of the Board of five (5) in favor and zero (0) opposed with no conditions.

	Vote
Ms. Lynch	Yes
Ms. Bartone	Yes
Mr. Mulcahy	Yes
Mr. Fullen	Yes
Ms. Refolo	Yes

RECEIVED
TOWN CLERK'S OFFICE
2023 MAR -1 PM 1:46
SHREWSBURY, MASS

In accordance with Chapter 40A, Section 15 of the Massachusetts General Laws, you are hereby advised that any person aggrieved by the decision of the Board relative to this matter must file an appeal as provided for in Section 17 of said Chapter 40A, within twenty (20) days from the date of the filing of this decision with the office of the Shrewsbury Town Clerk.

In accordance with Chapter 40A, Section 11, of the Massachusetts General Laws, you are hereby advised that the decision of the Town of Shrewsbury Zoning Board of Appeals relative to this matter has been filed in the office of the Shrewsbury Town Clerk and that the matter of a decision concerning a petition or application for Variance or Special Permit, or any extension, modification, or renewal, does not take effect until a copy of this decision, bearing the certification of the Town Clerk that twenty (20) days have elapsed after the date of filing of the decision in the Town Clerk's office with no appeal having been filed or that if such appeal has been filed it has been dismissed or denied, is recorded in the Worcester District Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. Therefore, on or about March 22, 2023 you may obtain from the Shrewsbury Town Clerk a copy of said decision for recording, provided that no appeal of this decision has been filed.

CERTIFICATION OF TOWN CLERK OF NO APPEAL

This is to certify that Notice from the Zoning Board of Appeals of approval of the within decision was received and recorded by me on (**March 1, 2023**) at () and no Notice of Appeal from such approval was received by me during the twenty days next after receipt and recording of such Notice of Approval.

Date _____ Sharyn Thomas, Town Clerk



RECEIVED
TOWN CLERK'S OFFICE
2023 MAR - 1 AM 10:34
SHREWSBURY, MASS

TOWN OF SHREWSBURY
Richard D. Carney Municipal Office Building
100 Maple Avenue
Shrewsbury, Massachusetts 01545-5338

**Decision of the Zoning Board
REGARDING APPLICATION FOR SPECIAL PERMIT FOR PROPERTY AT
405 Boylston Street**

**CMSR Services LLC,
482 Southbridge St Suite 268 Auburn MA 01501**

Procedural History

- 1) An Application Form of Appeal was filed in the Office of the Shrewsbury Town Clerk on January 30, 2023.
- 2) The applicant is CMSR Services LLC, 482 Southbridge St Suite 268 Auburn MA 01501.
- 3) The owner is Allison Lane, 405 Boylston Street, Shrewsbury MA 01545.
- 4) The subject property is located on Shrewsbury Assessor's Tax Plate 04, Plot 006000.
- 5) The subject property is located within the Town's Rural B zoning district.
- 6) A public hearing was held on February 27, 2023. A copy of the minutes for the hearing is available in the office of the Building Inspector.
- 7) The application was accompanied by the following documents:
 - a. Plans entitled "Certified Plot Plan" on one (1) sheet, dated January 16, 2023, prepared by Tauper Land Survey, Inc., 710 Main Street, Oxford MA 01537.

Findings

- 1) The appellant proposes to construct a nonconforming addition on a preexisting non-conforming single family dwelling upon property at 405 Boylston Street, in the Rural B zoning district.
- 2) The existing front yard setback is less than the required front yard setback of fifty (50) feet. The proposed front yard setback is forty four and three tenths (44.3) feet.
- 3) The appellant claims the proposed alteration is appropriate, and that it will not create a nuisance by virtue of noise, odor, smoke, vibration, traffic generated, unsightliness, or other conditions detrimental to the public good.
- 4) The Zoning Board of Appeals was mindful of the statements and comments of the applicant, the abutters, and the general public.
- 5) The Board found that the construction of a nonconforming addition on a preexisting non-conforming single family dwelling upon property at 405 Boylston Street, in the Rural B zoning district, as shown on plans entitled "Certified Plot Plan" on one (1) sheet, dated January 16, 2023, prepared by Tauper Land Survey, Inc, 710 Main Street, Oxford MA 01537, will not create a nuisance by virtue of noise, odor, smoke, vibration, traffic generated, unsightliness or other conditions detrimental to the public good.

Decision

The Shrewsbury Zoning Board of Appeals voted on February 27, 2023 to GRANT a Special Permit under IV.B of the Shrewsbury Zoning Bylaw to construct a nonconforming addition on a pre-existing non-conforming single family dwelling upon property at 405 Boylston Street, in the Rural B zoning district, as shown on the abovementioned plans.

The motion to approve the Special Permit for the Shrewsbury Zoning Bylaw was entered by a vote of the Board of five (5) in favor and zero (0) opposed with no conditions.

	Vote
Ms. Lynch	Yes
Ms. Bartone	Yes
Mr. Mulcahy	Yes
Mr. Fullen	Yes
Ms. Refolo	Yes

RECEIVED
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SHREWSBURY, MASS

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In accordance with Chapter 40A, Section 11, of the Massachusetts General Laws, you are hereby advised that the decision of the Town of Shrewsbury Zoning Board of Appeals relative to this matter has been filed in the office of the Shrewsbury Town Clerk and that the matter of a decision concerning a petition or application for Variance or Special Permit, or any extension, modification, or renewal, does not take effect until a copy of this decision, bearing the certification of the Town Clerk that twenty (20) days have elapsed after the date of filing of the decision in the Town Clerk's office with no appeal having been filed or that if such appeal has been filed it has been dismissed or denied, is recorded in the Worcester District Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. Therefore, on or about **March 22, 2023** you may obtain from the Shrewsbury Town Clerk a copy of said decision for recording, provided that no appeal of this decision has been filed.

CERTIFICATION OF TOWN CLERK OF NO APPEAL

This is to certify that Notice from the Zoning Board of Appeals of approval of the within decision was received and recorded by me on (**March 1, 2023**) at () and no Notice of Appeal from such approval was received by me during the twenty days next after receipt and recording of such Notice of Approval.

Date _____ Sharyn Thomas, Town Clerk



RECEIVED
TOWN CLERK'S OFFICE
2023 MAR -1 AM 10:33
SHREWSBURY, MASS

TOWN OF SHREWSBURY
Richard D. Carney Municipal Office Building
100 Maple Avenue
Shrewsbury, Massachusetts 01545-5338

Decision of the Zoning Board
REGARDING APPLICATION FOR SPECIAL PERMIT FOR PROPERTY AT
245 MAPLE AVENUE

Chris and Rachel Morrison (Ronnquist)
245 Maple Avenue, Shrewsbury MA 01545

Procedural History

- 1) An Application Form of Appeal was filed in the Office of the Shrewsbury Town Clerk on January 27, 2023.
- 2) The applicant and owner is Chris and Rachel Morrison (Ronnquist), 245 Maple Ave, Shrewsbury MA 01545.
- 3) The subject property is located on Shrewsbury Assessor's Tax Plate 27, Plot 026000.
- 4) The subject property is located within the Town's Residence B-2 zoning district.
- 5) A public hearing was held on February 27, 2023. A copy of the minutes for the hearing is available in the office of the Building Inspector.
- 6) The application was accompanied by the following documents:
 - a. Plan entitled "Plan Showing Proposed Addition," on one (1) sheet, dated April 19, 2021, prepared by Jarvis Land Survey, Inc, 29 Grafton Circe, Shrewsbury MA 01545.
 - b. Floor Plans entitled, "245 Maple Ave," on six (6) sheets, dated January 23, 2023, and prepared by JTD, 509 Reservoir Road, Cumberland, RI 02864.

Findings

1. The appellant proposes to construct a nonconforming addition on a pre-existing non-conforming single family dwelling upon property at 245 Maple Ave, in the Residence B-2 zoning district.
2. The existing front yard setback is twenty one and nine tenths (21.9) feet. The proposed front yard setback is twenty one and seven tenths (21.7) feet.
3. The minimum front yard setback is thirty (30) feet in the Residence B-2 zoning district.
4. The appellant claims the proposed alteration is appropriate, and that it will not create a nuisance by virtue of noise, odor, smoke, vibration, traffic generated, unsightliness, or other conditions detrimental to the public good, specifically due to alignment and complementary nature of the proposed addition to the existing structure.
5. The Zoning Board of Appeals was mindful of the statements and comments of the applicant, the abutters, and the general public.
6. The Board found that the construction of an addition on a pre-existing nonconforming dwelling on the subject property, in the Residence B-2 zoning district, as shown on plans entitled "Plan Showing Proposed Addition," on one (1) sheet, dated April 19, 2021, prepared by Jarvis Land Survey, Inc, 29 Grafton Circe, Shrewsbury MA 01545, will not create a nuisance by virtue of noise, odor, smoke, vibration, traffic generated, unsightliness or other conditions detrimental to the public good.

Decision

The Shrewsbury Zoning Board of Appeals voted on February 27, 2023 to GRANT a Special Permit under IV.B of the Shrewsbury Zoning Bylaw to construct a nonconforming addition on a pre-existing non-conforming single family dwelling upon property at 245 Maple Ave. in the Residence B-2 zoning district, as shown on the abovementioned plans.

The motion to approve the Special Permit for the Shrewsbury Zoning Bylaw was entered by a vote of the Board of five (5) in favor and zero (0) opposed with no conditions.

	Vote
Ms. Lynch	Yes
Ms. Bartone	Yes
Mr. Mulcahy	Yes
Mr. Fullen	Yes
Ms. Refolo	Yes

RECEIVED
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2023 MAR - 1 AM 10:33
SHREWSBURY, MASS

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In accordance with Chapter 40A, Section 11, of the Massachusetts General Laws, you are hereby advised that the decision of the Town of Shrewsbury Zoning Board of Appeals relative to this matter has been filed in the office of the Shrewsbury Town Clerk and that the matter of a decision concerning a petition or application for Variance or Special Permit, or any extension, modification, or renewal, does not take effect until a copy of this decision, bearing the certification of the Town Clerk that twenty (20) days have elapsed after the date of filing of the decision in the Town Clerk's office with no appeal having been filed or that if such appeal has been filed it has been dismissed or denied, is recorded in the Worcester District Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. Therefore, on or about **March 22, 2023** you may obtain from the Shrewsbury Town Clerk a copy of said decision for recording, provided that no appeal of this decision has been filed.

CERTIFICATION OF TOWN CLERK OF NO APPEAL

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Date _____ Sharyn Thomas, Town Clerk

William Talcott, Chair
Scott Paul, Vice-Chair
Robert S. Largess, Jr.
Walter A. Baker
Michael Gagan
Erica McCallum, Associate

Jennifer S. Hager
Planning & Economic Development Director



Sutton Town Hall
4 Uxbridge Road
Sutton, Massachusetts 01590
Telephone: (508)865-8729
Fax: (508)865-8721

TOWN OF SUTTON PLANNING BOARD & DEPARTMENT

Sutton Planning Board Public Hearing Notice

In accordance with the provisions of MGL, c. 40 §15C & c. 87 §3 – Scenic Roadway Law and Public Shade Tree Law as well as Bylaw 15 of the Sutton General Bylaw – Scenic Roadways, the Planning Board & Tree Warden will hold a public hearing on the application of Tim & Tammy Mahoney for their property located at 114 Manchaug Road (lots 4 & 5). The applicants request permission to create breaks in the stone wall/remnants and remove public shade trees to construct driveways.

The hearing will be held on Monday, March 27, 2023 at 7:00 P.M. This will be a hybrid meeting in accordance with orders issued by the Governor during the current State of Emergency. Persons may attend or participate in the hearing by using the online Zoom application at: <https://zoom.us/join> or via phone at 1-929-205-6099 US (New York) **Meeting ID: 897 3920 3756 Passcode: 126447**

You may also provide input by emailing it to j.hager@town.sutton.ma.us. An electronic file of the application materials can be viewed on the Town's website at <https://www.suttonma.org> on the Planning Board page and a copy of the same may also be requested via email to j.hager@town.sutton.ma.us or by phone to 508-865-8729.

William Talcott, Chair

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